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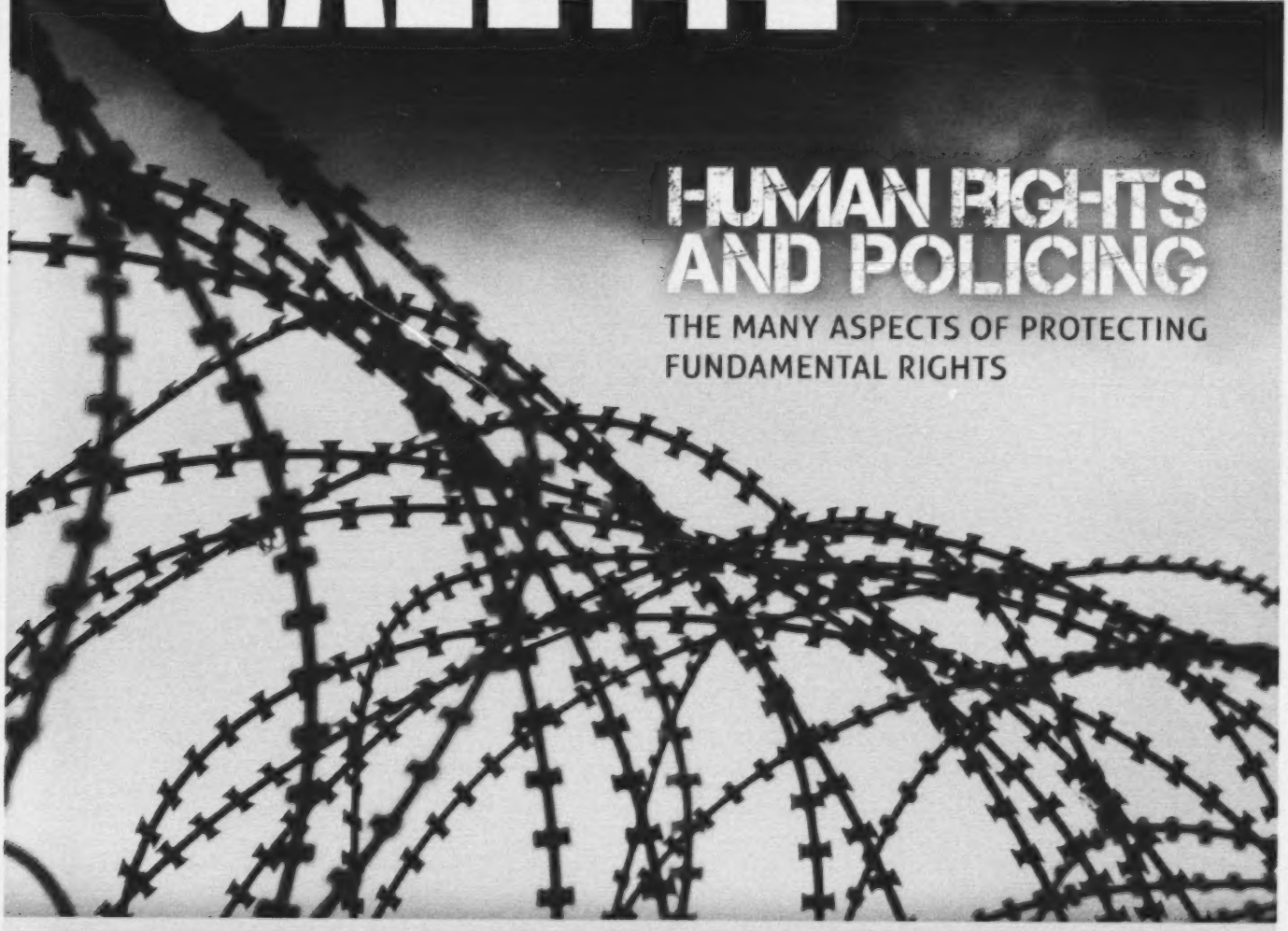

HUMAN RIGHTS AND POLICING

THE MANY ASPECTS OF PROTECTING FUNDAMENTAL RIGHTS

Post-disaster Haiti
Keeping children from harm

Racially biased policing
A science-based approach

Eruption-ready
Iceland police put to test

Royal Canadian Mounted Police / Gendarmerie royale du Canada

Canada

At the heart of human rights

Human rights is not a topic that the *Gazette* has specifically featured in the past and yet it is at the very core of many articles we have published on human trafficking, hate crime and people smuggling, to name a few.

In this issue on human rights and policing, we look at crimes in which human rights violations are central.

But we also delve into the police officer's pivotal role in ensuring victims are cared for and in preventing biases from surfacing when interacting with the public.

Training is essential to prepare officers for the demanding job of policing. Caroline Ross writes about RCMP's approach to training members to avoid bias through its Cadet Training Program and subsequently with continuous learning opportunities. She also writes about the RCMP's role teaching human rights concepts to other police forces overseas, concepts that sometimes take a while to stick.

In this issue, we also hear from Lorie Fridell, an associate professor of criminology from the U.S., who discusses racially biased policing from a scientific perspective. She says training and awareness, not blame, is the best approach to preventing most cases of bias.

Tom Chapman, who teaches a human rights and policing course at Dalhousie University, shares his Canadian perspective on preventing unintentional bias. He suggests education and community involvement are paramount.

Policing large public protests requires striking a delicate balance between human rights and public security. Sir Dennis O'Connor, Her Majesty's Chief Inspector of Constabulary, describes his recent review of the G20 protests in the U.K. Read about what he believes is the secret weapon for success.

The police are often among the first to help victims who have suffered from human rights violations. We hear from Anne Gallagher, a lawyer and human trafficking expert, and Paul Holmes, a former police officer with Scotland Yard, who outline both the challenges and the opportunities for police when responding to trafficking victims.

We also hear from a former trafficking victim and current advocate who has written a book on her story. She has advice for police on how to gain the trust of vulnerable victims.

Vulnerability is a critical factor for those at risk of human rights violations. Migrant smuggling in poverty-stricken Eastern Africa is commonplace and researcher Fiona David looks at the realities of people smuggling and the human rights implications of this trade in human misery.

RCMP Sgt Lana Proper and Dr. Roberta Sinclair from the Canadian Police Centre for Missing and Exploited Children write about a specialized team that deployed to Haiti after the earthquake to protect orphaned child from child sexual exploitation.

The RCMP's Hate Crime Unit in British Columbia has placed much of its effort on educating the public to come forward if they are victims of hatred. The approach is working, and now this integrated team is fighting hatred with the Canadian legislation that specifically targets these offences.

Outside our cover section, you can learn how to deliver a compassionate death notification, hear about the Ottawa Police Service's online crime-mapping tool, and read about the Iceland Police's successful efforts preparing for and responding to a messy volcanic eruption.

Katherine Aldred

More to explore on human rights and policing from the Canadian Police College Library

www.cpc-ccp.gc.ca/library-biblio/library-biblio-eng.html

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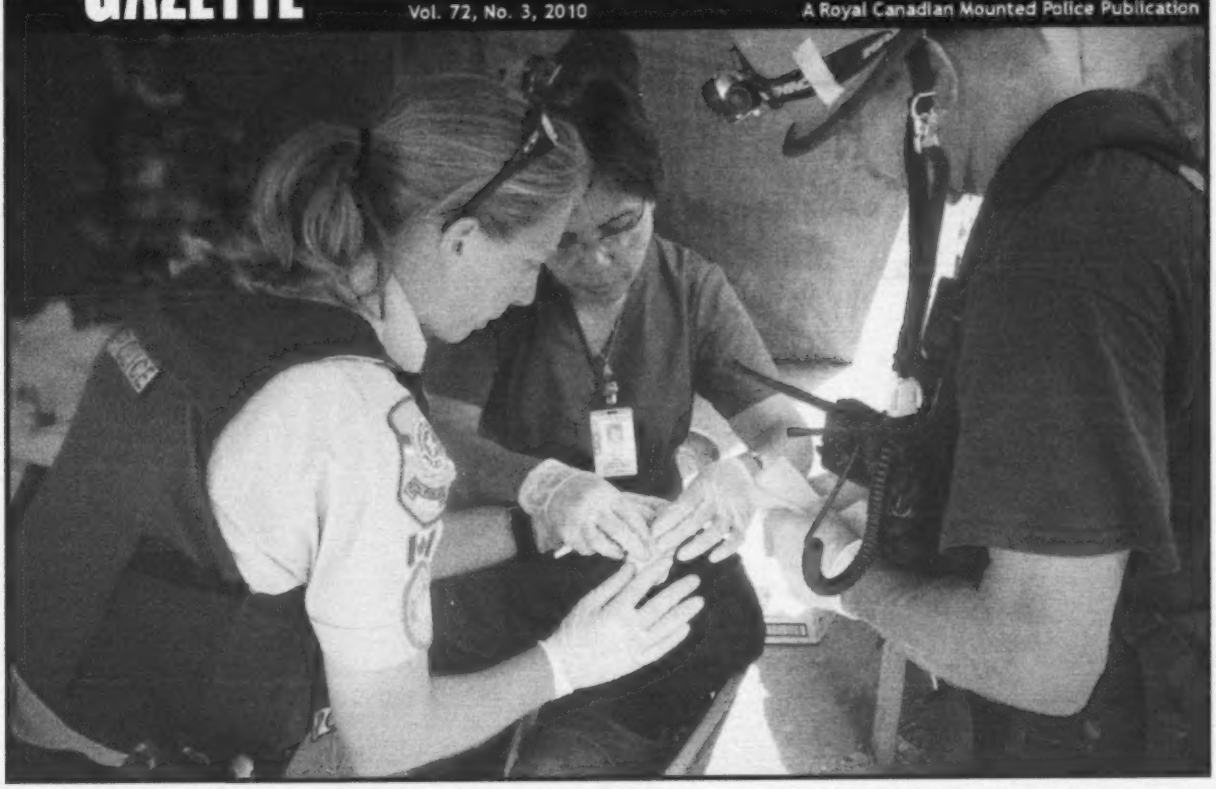

Denis Patenaude, Service de police de la ville de Montréal

Cst Maxine Larouche of the Sûreté du Québec assists with first aid after the January 2010 earthquake in Haiti. A collaborative police response is key to ensuring human rights are protected.

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CANADA CRACKS DOWN ON SYNTHETIC DRUGS

The RCMP is leading a new Synthetic Drug Initiative (SDI) intended to eliminate the production and distribution of synthetic drugs on Canadian soil.

Launched on Aug. 25, 2009, the SDI is the first RCMP drug initiative to target a specific class of drugs—and with good reason: the 2009 United Nations World Drug Report named Canada as a leading supplier of ecstasy and methamphetamine to markets in Australia, New Zealand, Japan, the United States and parts of Europe.

"One of the interesting things about synthetic drugs in Canada is that even though we're producing them domestically, there's a huge international component," says RCMP Sgt Doug Culver, who helps co-ordinate the SDI. Most precursor chemicals used in Canadian clan labs come from India or China, says Culver, and most domestic labs are run by organized crime groups that turn a profit by shipping their product abroad.

Curbing these complex operations requires enforcement, deterrence and prevention activities at both domestic and international levels, says Culver. To that end, several SDI initiatives aim to build global connections that complement traditional domestic enforcement efforts.

In 2009, the RCMP signed on to Europol Project Synergy, an initiative to gather and analyze global intelligence on synthetic drug activities, with a goal of identifying links and criminal targets.

At the G8 level, the RCMP is leading development on a project that could see member nations collaboratively monitor and regulate the movement of lab equipment within their borders.

RCMP drug enforcement officers have also travelled to India to meet with local authorities and develop information-sharing capacity on the flow of precursor chemicals. The new relationship has already triggered

RCMP

Officers dismantle a clan lab in southern Ontario.

significant, successful drug operations in the Toronto area, says Sgt Ken Cornell of the RCMP Chemical Diversion Program.

At the domestic level, Canadian police have enhanced clan-lab training under the SDI by offering more courses and specialized content. The RCMP has also developed new synthetic drug reference materials for officers, the chemical industry and the general public.

"Our focus," says Culver, "is to no longer be recognized as an international source for synthetic drugs."

Caroline Ross

POLICING THE CANADA-FRANCE BORDER

The little-known border between Canada and France is well protected, thanks to a policing partnership that began 10 years ago.

Since 2000, the RCMP in the province of Newfoundland and Labrador have been collaborating with the Gendarmerie Nationale in St-Pierre-Miquelon, a French island territory located 20 kilometres off the Burin Peninsula in southern Newfoundland. The Gendarmerie Nationale is a military agency that holds policing jurisdiction in rural and border areas of France.

A member of the French Gendarmerie Maritime, aboard the St-Pierre-Miquelon-based patrol vessel Fulmar, mans a gun during a joint training exercise with the RCMP patrol vessel MV Murray from Newfoundland and Labrador.

Cpl Neil Wentzell

The partnership began as a means of arranging accommodations for visiting officers but has since flourished to include ongoing information sharing, joint marine training and patrol operations, and regular personnel exchanges between the two forces.

"We talk frequently about the Canada–U.S. border, but most people don't recognize that [Canada] share[s] a border with France," says RCMP Cpl Neil Wentzell, who served from 2000 to 2008 as the unofficial liaison between the RCMP on the Burin Peninsula and the Gendarmerie across the water.

A key aspect of the relationship is the pooling of intelligence on the cross-border movement of drugs and other illegal substances, including fish and migratory birds.

The Gendarmerie—an affiliate member of the Criminal Intelligence Service Canada's Newfoundland and Labrador office since 2004—works alongside the RCMP, the Royal Newfoundland Constabulary (the police of jurisdiction in Newfoundland's urban centres) and 13 other agencies to gather, analyze and disseminate regional intelligence.

The RCMP and the Gendarmerie also network and share information through regular exchanges of uniform and plainclothes personnel.

Marine security is another important area of collaboration. "We do routine patrols together, we train together, we practise armed ship-boarding together," says A/Commr Gerry Lynch, who fostered the partnership while he commanded the Newfoundland-Labrador RCMP from 2003 to 2009.

In December 2008, patrol vessels from both forces integrated seamlessly into a major search and rescue operation off the Burin Peninsula.

"We have a very, very good relationship," says L/Col Philippe Guisset, commandant of the Gendarmerie Nationale in St-Pierre-Miquelon. "It's a very old co-operation."

Wentzell and Lynch each received the French National Defence Medal — rarely awarded extraterratorially — in recognition of their respective partnership-building efforts.

Caroline Ross

UK POLICE REACH OUT TO DEAF COMMUNITY

To facilitate crime prevention throughout the United Kingdom, the Gwent Police Force has created an informative DVD that offers advice to deaf persons on how to protect themselves at home and in their community.

Insp Kevin Childs of the Gwent Police partnered with the British Deaf Association to create a DVD to help decrease victimization of deaf persons, increase reporting of crimes and increase the deaf community's confidence in police in the region.

Following the death of his deaf brother-in-law, Childs worked for several years with deaf persons in the area.

He realized the deaf community lacked access to crime prevention literature and police.

"I was informed of horrendous stories of deaf people who had been victims of crime but had failed to report the incidents as they believed the police would be unable to communicate with them," says Childs. "Through interpretation, they told me that a DVD would be an appropriate form of media to deliver such messages as it gave the options of signing, lip reading and subtitling in various languages."

The DVD features two deaf lead characters acting in eight different target-prone scenarios where the lead character does both the right and the wrong thing, and an on-screen narrator shares tips and advice about the situation.

"The DVD had been well received within the deaf community. We have received letters of thanks from deaf people all across the Gwent Police area [...] and we have even received requests [for the DVD] from as far away as Colorado," says Childs.

In a country with more than nine million deaf or hard-of-hearing persons, it is important that U.K. police agencies are able to use British Sign Language.

Since May 2008, many officers and police department employees who are likely to come into contact with deaf persons have taken a 20-week course to obtain a basic knowledge of sign language.

Mallory Procunier

CRASH STUDY BREAKS GROUND

Collision testing by the British Columbia RCMP has broken new ground in the analysis of single-vehicle rollover collisions.

The testing, which took place in Terrace, B.C., from April 19 to 23, 2010, validated the deceleration value of a tumbling vehicle (the rate at which a rolling vehicle slows and comes to a stop).

This "tumble value" — originally devised by automotive engineers — had never been verified for use in police collision reconstruction analysis.

"It's very exciting," says RCMP Cpl Chris Romanchych, a Terrace-based collision reconstructionist who helped organize the study alongside other members of the B.C. RCMP Integrated Collision Reconstruction and Analysis Service. "We can use the range of numerical values that we gained from the testing, work backwards, and apply a speed to [a tumbling] vehicle [at the point] where the vehicle tripped. We couldn't do that before."

When the findings are published—likely next year—collision reconstructionists around the globe will have a documented means of substantiating tumbling-vehicle speed calculations in court. The result? Stronger evidence in support of dangerous driving convictions.

Numerical data aside, the study provided 30 collision reconstructionists from across Canada with the unique opportunity to observe rollover crashes in real time—and to assess scene-specific evidence against crash dynamics and recorded video footage.

That experience helped dispel speculation that officers could use ground-level impact marks or passenger-ejection points to accurately reconstruct collisions or calculate speeds, says RCMP Sgt Pat McTiernan, a senior collision reconstructionist in Prince George, B.C.

"We watched cars go up in the air, roll twice, then land and roll again," he says. "In [other] instances, cars actually hit [passenger dummies that had been ejected] and projected them forward."

The study involved 31 crashes, each simulated by placing a test car broadside-to-the-road on a custom-built deck attached to the front of a tow truck. The truck accelerated to speeds of 80 km/h, then braked, causing the test car to slide off the deck and roll repeatedly. Passenger dummies—belted and unbelted—were placed in some cars. Other cars were directed into hydro poles to assess vehicle crush dynamics.

Caroline Ross

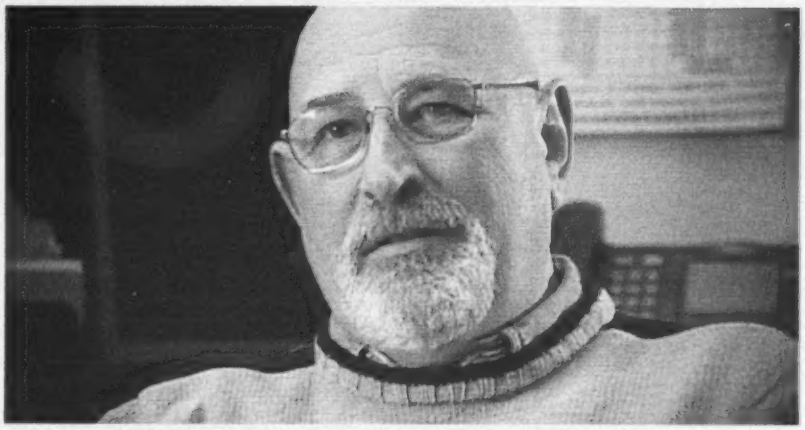
A passenger dummy hits a hydro pole just ahead of a tumbling vehicle during ground-breaking rollover testing at the Terrace airport.

Courtesy B.C. RCMP Traffic Services

Delivering a death notification

Expert advice on a difficult subject

When it comes to delivering death notifications, Lloyd Grahame doesn't flinch. The retired Windsor Police S/Sgt teaches the Death Notification Training program for Mothers Against Drunk Driving (MADD) Canada, and has instructed more than 18,500 police and victim services personnel since 2004. Gazette writer Caroline Ross speaks with Grahame about effective strategies and how to handle some particularly sensitive situations.



Ontario Police Video Training Alliance

Retired police S/Sgt Lloyd Grahame trains officers across Canada on how to deliver death notifications.

Why is training in death notification important for police officers?

Thirty per cent of death notifications happen in the public sector — when people die suddenly, violently, unexpectedly. It usually falls to the police to do those notifications.

For family members, this is a defining moment in their lives: if it's done properly, these people will never forget you [as the notifying officer]; if it's done improperly, they will never forgive you.

What approach do you teach?

We say: "In time [as soon as possible after the death], in person, in pairs." We ask people to keep the language very simple [no police jargon] and to demonstrate compassion. Speak softly and kindly to the family so they know that they matter as people. Finally, empower the family to take on their own grief and pain.

What are some strategies for empowering the family?

Give the family as much information [about the death] as possible. Information will empower them. The best approach is to listen to them, let them ask the questions, and answer the questions as compassionately and honestly as possible. The first questions are [usually]: "Are you sure?" "How did it happen?" "Where is he or she now?" "When can I see them?" Do your research, so that when they ask a question, it can be answered at that time.

You may also want to take a few notes and give the family written information — where the body is, what the address of the hospital is, who the coroner is, what time events unfolded.

Death notifications are sometimes done in a cloud of emotion and disbelief, and people don't always remember things clearly at that moment.

> "Should I tell the family the truth?" Yes, tell the truth, but do it in a soft-spoken, factual, compassionate way. It's OK to be honest, without being brutally honest.

How should officers handle deaths that occur under bizarre, violent or perverse circumstances?

Suicide, auto-erotic asphyxiation, deaths in someone else's bed — these are horrible situations.

Officers have asked, "Should I tell the family the truth?" Yes, tell the truth, but do it in a soft-spoken, factual, compassionate way. It's OK to be honest, without being brutally honest. People are going to find out the truth anyway. Sometimes officers hide behind that fact that we can say, "I can't tell you that; it's under investigation," when really they just don't want to give the information out because it's too difficult.

Well, families sometimes want details about what happened, and not to be protected from it.

What about situations when family members want to view a badly damaged body?

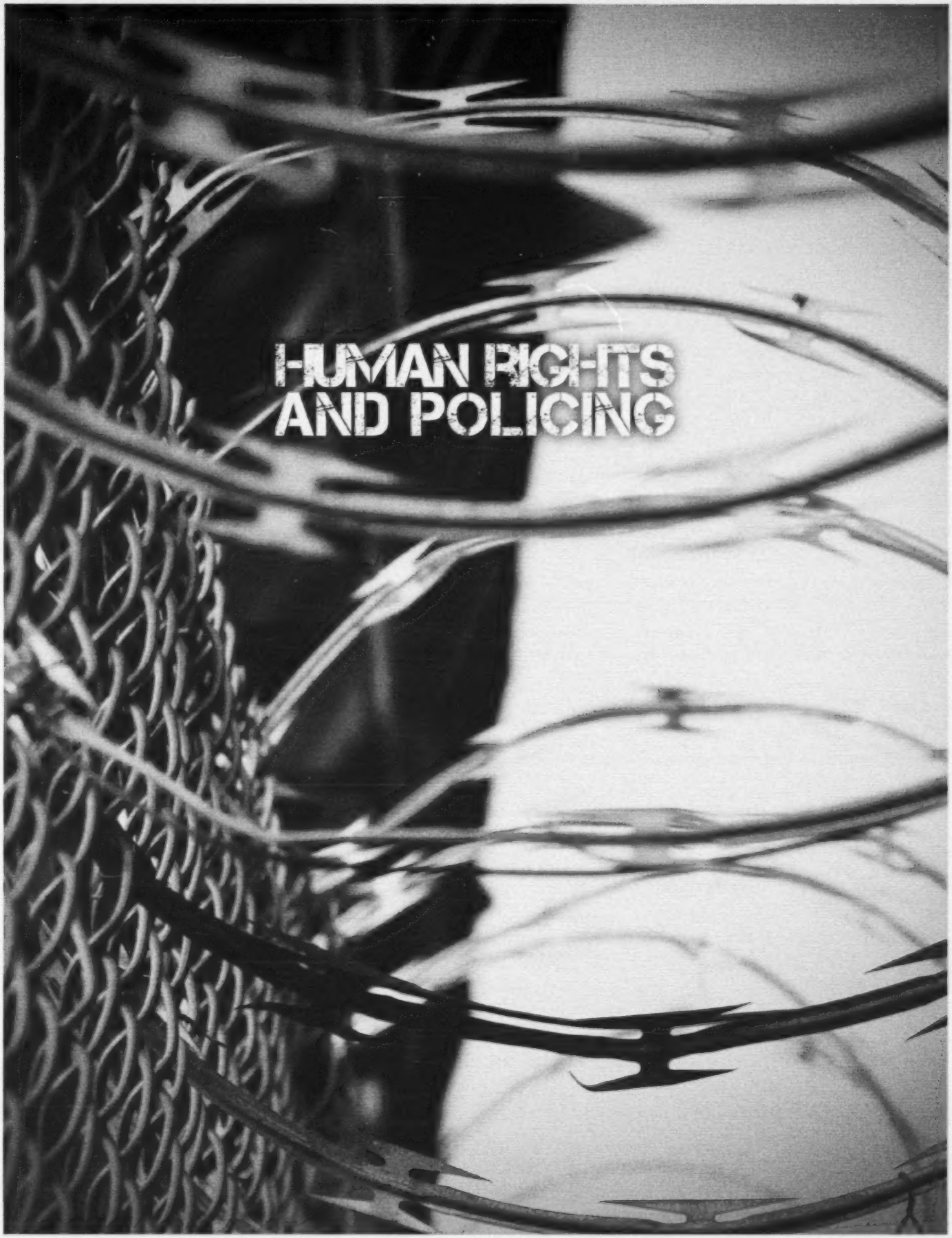
There may be no issue standing in the way of a family seeing their loved one other than the officer's opinion that the body is in bad shape and the family shouldn't have to see it. Officers are often surprised to learn that sometimes family members actually want to see their loved one's body, even if it's bad.

The family may need a confirmation of death or an opportunity to say goodbye. If there are no legal, health or evidentiary impediments, the officer needs to tell the family in compassionate, honest terms what they're going to see before they see it, [suggest waiting until the hospital or the funeral home, if that option is available], then let the family make the decision.

Any advice to help ease the emotional strain on notifying officers?

Remember that you are the messenger, not the root cause of the pain.

The grief and healing processes belong to the family; you cannot fix their pain and loss. What you can provide is compassion, honesty and patience at a time when it is most appreciated.


HUMAN RIGHTS
AND POLICING

How the RCMP prepares members to police bias-free

By Caroline Ross

When new members of the RCMP begin field training, one of their first assignments is to identify a particular community group — cultural, religious, demographic or other — and work with it to address an issue of concern.

The exercise is just one example of how the RCMP is striving to build a bias-free police force — one in which members instinctively provide equitable, respectful service to every individual, regardless of that person's age, race, religion, gender, mental or physical capacity, or other potentially "defining" characteristic.

"Canada is going through big changes in internal diversity," says Insp Shelly DuPont, who helped pen the RCMP's policy on bias-free policing in 2005. Police officers must be able to integrate into the communities they serve, she says, and integration requires a constantly evolving understanding of various populations and their unique needs.

"With bias-free policing, it's really a personal growth of each and every officer," says DuPont.

Building foundations

The growth process begins at the outset of the 24-week RCMP Cadet Training Program (CTP). The very first training module includes 18.5 hours of in- and out-of-class learning on concepts such as diversity, prejudice, discrimination, ethics, Canadian human rights history, and relevant legislation. Cadets also have opportunities to explore their own personal biases.

"The time that we spend on these concepts is comparable to the time we spend on other key concepts such as the powers of arrest and release, risk assessment and statement-taking," says Christine Hudy, lead educational methodologist at the RCMP training depot. "It's really a significant time block in the CTP."

From there, cadets learn to apply the concepts of bias-free policing during several realistic training scenarios that also teach the "nuts and bolts" of police work. Cadets tackle vandalism in a Vietnamese community, investigate a case of fraud involving seniors, and more — learning how to exercise their policing duties in a climate of tolerance and respect.

"By the time cadets leave [training], they're very solid critical thinkers," says Hudy. "They [understand] that public interest is best served by learning about and working with your clients."

RCMP

Bias-free policing requires an understanding of the unique perspectives and needs of Canada's diverse communities.

Continuous learning

After basic training, every officer is responsible for enhancing his or her own knowledge of Canadian diversity. Different postings will require different levels of awareness and integration, and the force provides several resources to help members prepare accordingly.

RCMP National Crime Prevention Services hosts an internal Bias-Free Policing website, where officers can access more than 100 cultural profiles created by Citizenship and Immigration Canada, browse dozens of religious summaries written by the Department of National Defence, and connect with regionally based RCMP diversity co-ordinators who can advise on local resources.

Bias-free policing is crucial in a diverse country like Canada, where Islam is the fastest growing religion, seniors are the fastest growing age group, and the visible minority population could reach 20 per cent by 2017.

The RCMP Learning and Development branch offers self-directed online courses on topics such as the Canadian Charter of Rights and Freedoms, Aboriginal culture and Alzheimer's disease.

And divisions across the force are developing more ground-level resources to address local policing needs — a list of Inuit elders who can advise on cultural issues in Nunavut, for example, or a workshop on African-Canadian and Mi'kmaq cultural sensitivities in Nova Scotia.

Officers also learn from experience, says Sgt Greg Ericson of the Brooks, Alberta, RCMP detachment. Ericson now provides new detachment members with information sheets on the Islam faith, owing to Brooks' growing Somali and Sudanese immigrant population.

Local officers are also reaching out to educate the immigrant community about Canadian laws.

Such community engagement is truly the heart of bias-free policing, says DuPont. But well-informed police officers are only part of the bias-free picture.

"It's equally important for the RCMP to educate our communities about what we do," says DuPont.

"A lot of new Canadians may not have access to that [information]."

Mission critical

Teaching human rights overseas

By Caroline Ross

Police officers in conflict-riddled countries might not think twice about abusing or neglecting the rights of prisoners or citizens, but police officers deployed to those countries on international peace missions certainly do.

In fact, a handful of Canadian civilian police officers are directly involved in efforts to educate foreign police forces about the principles of human rights.

The profiles below are just two examples of this work in action.

Courtesy Insp Jeff Dowling

Canadian civilian police officers stationed in Kandahar City have developed a six-week leadership and management course for senior members of the Afghan National Police. The course includes a full day of instruction on human rights concepts.

Palestinian territories: Basic training and beyond

When RCMP Insp Jeff Dowling arrived in the Palestinian-occupied West Bank in August 2009, the term "human rights" wasn't part of the local police vocabulary.

Over the course of Dowling's one-year posting with the European Union Police Co-ordinating Office for Palestinian Police Support (EUPOL COPPS), things began to change.

Dowling and Det/Cst Darrell Longley of the Halifax Regional Police served as the mission's two police training advisors, providing the Palestinian Civil Police (PCP) with guidance on how to improve police training mechanisms. As part of that work, the two officers helped the PCP develop its first basic training module on human rights concepts.

The module, which covers topics such as non-discrimination, the prohibition of torture, and the rights of women and children, was written by the PCP in consultation with Dowling, Longley and Diane Halley, the mission's Irish human rights expert. The module will be taught by PCP instructors when the new Jericho Police Training School opens in early 2011.

"This will be the first time that human rights training will be given out to new police officers," says Dowling. "It's a PCP product, but we had every topic checked to make sure it fit with modern law."

Beyond this foundation-building initiative, Dowling and Longley have also trained PCP leaders on the particulars of policing democratic elections, accompanied officers to community presentations on human rights topics, and supported PCP officials in the creation of a multi-jurisdictional committee to investigate allegations of police torture and mistreatment — most of which were ignored in the past.

> "The police are changing, and they're getting better. They want to learn."

Afghanistan: Decisions for tomorrow

In Kandahar, Afghanistan, human rights concepts are already incorporated into basic training for general-duty officers, but it can be difficult to make those concepts stick.

"Most of those officers are not educated," says RCMP Sgt Derek Ayers, who was posted to Kandahar in March 2010. "We need to take it to the next level [and target] officers who will be the leaders in the organization and [can] push those ideas down the chain."

To reach these future decision-makers, Canadian civilian police officers stationed in Kandahar City have developed a six-week leadership and management course for senior members of the Afghan National Police — most of whom account for the force's 35-per-cent literacy rate.

The course includes a full day of instruction on human rights concepts, with content based on principles established in the United Nations Charter and the Universal Declaration of Human Rights.

"We explain the three categories of human rights as defined under the Charter, provide examples, and discuss how to handle allegations of human rights abuses in the force," says Ayers, who instructs the human rights component. "You expect certain things when you come to this country, but to stand in front of the classroom and talk to these local men, it's really enlightening to hear that they have the same general opinions that we do."

Sgt Andre Wyatt, who is deployed from the Durham Regional Police Service and co-ordinates the course at ground-level, says he's impressed by how quickly his students can identify scenarios that involve violations of human rights, and how often they indicate they would respond to such situations by reporting or firing the officers involved.

But, Wyatt says, "I always stress with them [that] doing the right thing is much harder than saying you'll do the right thing."

Intercepting online communications: what must be considered when balancing lawful access with privacy rights?

The panellists:
Sgt Mark Flynn, Covert Intercept Unit, HQ Special "I", RCMP, Ottawa
Benjamin Goold, Associate Professor, Faculty of Law, University of British Columbia
Det Insp Richard Schurr, manager, Crime Monitoring Centre, New Zealand Police
Mike Webb, national manager, Organisational Performance, New Zealand Police

Sgt Mark Flynn

The technology that people use to communicate has rapidly changed in recent years. The use of the Internet is the most significant change. It is a combination of the traditional telephone, facsimile machine, traditional mail, video camera, library and more, all carried over an open and mostly uncontrolled system. Many people use the Internet as their primary means of communication. Some even put intimate details of their lives online to share with friends, family and the world. Others use its instantaneous communications, anonymously, to facilitate crimes and circumvent the ability of police to investigate those crimes.

Law enforcement agencies recognize and respect the privacy rights of individuals in Canada. The interception of any type of private communication must take into account the privacy rights of the individual and the public interest in the administration of justice. This is a delicate balance that was considered by Parliament when Part VI of the *Criminal Code* was enacted.

Part VI requires that police meet strict criteria before a judge will allow them to intercept a private communication and makes it an offence to do so without judicial authorization (with few exceptions for specific situations). That has not changed with the advent of the Internet.

There are several hundred Internet service providers (ISPs) in Canada and each network is unique and designed in a manner that sometimes makes the lawfully authorized interception of communications difficult or impossible. In these investigations, a judge has reviewed a request from a law enforcement officer, weighed the privacy rights of the individual versus the public interest, and granted authority to lawfully intercept the communications. Sometimes, the interception could not be carried out due to technological challenges or could not be performed in a timely manner. Those involved in organized crime and child exploitation often take advantage of these challenges. In some cases, the lack of intercept capability has jeopardized public safety.

In recent years, law enforcement and national security agencies have sought improvements to lawful access through changes in the law to aid in dealing with technological challenges when intercepting online and other communication systems. Some refer to the changes as additional police powers and a further invasion of privacy. This is simply not correct: the interception of online communications is no different than the interception of other types of traditional communications.

Police already have the lawful authority to intercept online communications and have been doing so for many years. Law enforcement agencies are not seeking to change how this authority is granted. The elimination of technological challenges through new legislation would simply ensure that an interception will be technologically possible, once a judge has granted law enforcement the legal authority to carry out an interception.

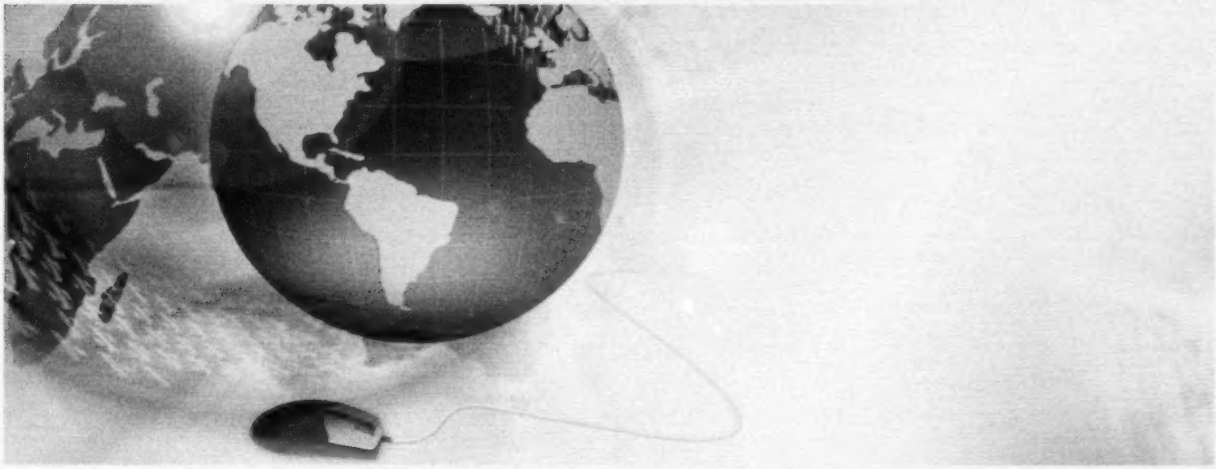
Any change to the law should be analyzed to determine if there are new privacy implications for Canadians to ensure that there is no unreasonable state intrusion into their personal lives. As such, the best way to ensure that privacy rights are not being violated is to have proper safeguards built into the law. Canada has a well-established judicial process that ensures that a balance between privacy rights and public interest is maintained. This balance is crucial in assuring the safety of our communities.

Benjamin Goold

There are many things that need to be considered before the police should attempt to intercept online communications. Given that reading someone's email or monitoring their online activities without their knowledge is a serious breach of privacy, it is essential for the police to provide a clear and convincing justification for such intrusions.

In particular, they must be able to show that the interception in question is both necessary and proportionate, and that there is no other, less invasive means of obtaining the relevant information or evidence. In addition, it is vital that the police take steps to ensure that the information in question is used only for the purposes for which it was originally obtained, and that it is not shared in ways that may further infringe the individual's right to privacy. Where the police fail to meet these standards, there can be little doubt that their actions — no matter how well intentioned — will constitute an unjustified infringement of the individual's right to privacy and possibly an abuse of due process.

In the course of a criminal investigation, it is always tempting for the police to regard an individual's privacy as less important than the prevention of crime or the apprehension of criminals. Yet it is crucial for the police to remember that the right to privacy does not just exist to protect individuals from unwanted scrutiny or to help them maintain



control over their personal information. As a society we are also committed to privacy because it is necessary if people are to be able to enjoy the political freedoms that most of us now take for granted in Canada. If the police start to regularly monitor online communications without just cause, over time people may become reluctant to use email or Internet forums to exercise their right to freedom of expression or to criticize the government and public bodies such as the police.

As more and more people come to regard email as their main means of communicating with friends, relatives, and colleagues, there is a risk that the fear of police interception could stifle free speech and healthy political debate.

Finally, there is another reason why the police should regard the interception of online communications as an evidential last resort: Police, more than any other state institution, rely on the public's trust and co-operation to do their job effectively.

If the police fail to take online privacy seriously, then there is a very real danger that they will lose this vital public trust. If that happens, then people may be less inclined to come forward with information, to answer police questions willingly, or to make complaints.

Given that public confidence is hard won and easily lost, the police should be cautious when it comes to weighing the short-term benefits of interception with the longer-term costs of infringing online privacy. If they don't, then all policing — not just criminal investigation — may quickly become very difficult indeed.

Det Insp Richard Schurr and Mike Webb

From cautious beginnings in the late 1970s, when police were first granted legal authority to intercept telecommunications involving suspected drug dealing, New Zealand lawmakers have sought to strike a balance between individual privacy interests and public interests in effective investigations by enforcement agencies. Such balancing exercises continue today.

Various checks have been built into the New Zealand approach to granting lawful intercepts.

First, while the list of qualifying offences has gradually been increased to include organized crime and serious and violent crime, lawful intercepts are effectively limited to investigations of offences that carry penalties of 10 or more years' imprisonment.

Then, it must be shown that routine investigations have failed or are unlikely to result in successful prosecutions.

Should these thresholds be met, then an application can be made to a High Court judge for a warrant to intercept "private communications" content.

Such applications can only be made by senior police officers and must be supported by extensive affidavit evidence that satisfies the Court that there are reasonable grounds to believe a relevant offence has or will be committed.

Should all these hurdles be jumped, a 30-day interception warrant can be issued on the condition that interim and final reports on the use and results of the interception warrant must be given to the issuing judge or court.

An important factor in building comfort in the system has been that New Zealand's national police force is the only enforcement agency currently able to make use of intercept powers. New Zealand Police is widely regarded as non-corrupt and enjoys high levels of public trust and confidence.

Careful judicial oversight also acts to temper any potential for over-reaching, and helps to reinforce responsible police practices. Indeed, arguably the most effective mechanism protecting a person's privacy occurs at trial, when any unreasonably/unlawfully obtained evidence from interceptions will not be admitted.

There have been challenges. The emergence of new technologies and industry deregulation led to interception difficulties in the late 1990s. New Zealand's first GSM mobile network could not be intercepted for a decade, until New Zealand Police itself paid for the capability. This legislative gap was only plugged in 2004 through the *Telecommunications (Interception Capability) Act*, requiring providers of any public telephone or data network to enable lawful intercepts to law enforcement agencies.

New services must now be compliant before they are released. Similarly, smaller ISPs must assist enforcement agencies to achieve interception.

B.C. Hate Crime Team fights hatred with education

By Sgt Sean McGowan
RCMP B.C. Hate Crime Team

The RCMP Hate Crime Team in British Columbia is an integrated unit created in 1996 with a mandate to ensure the effective identification, investigation and prosecution of crimes motivated by hate.

Hate crimes are offences that strike at the very cohesiveness of society. Often individuals and groups are targeted solely on the basis of who they are, and not because of anything they have done.

The impact of these crimes extends beyond the initial victims and creates fear in the broader communities.

These crimes can lead to social tensions between individuals, groups, the police and other government agencies, thereby furthering the destructive aims and objectives of those who encourage and promote hatred. Hate crimes are diverse, engender repetition by others and incite retaliation.

If left unchecked, these crimes can increase in their severity and may result in an escalation in social tensions between different groups, which can destroy the harmony in our communities.

The B.C. Hate Crime Team realizes that to effectively fight hate and bias crime, partnerships are critical.

The B.C. Hate Crime Team is made up of the RCMP, the New Westminster Police Service, the B.C. Ministry of Citizen's Services, the B.C. Ministry of Public Safety and Solicitor General, Crown Counsel and the Attorney General's Office.

All these partners have a specific role to play in combating hate in the province of British Columbia.

Between 1996 and 2002, the team's primary focus was public education. Because only a small percentage of hate crimes are reported to police, the team worked with the communities to build the trust needed for people to come forward and report these crimes. Since 2002, the Hate Crime Team uses a four-step approach to tackling hate crime: public education (working with communities), police education, intelligence gathering and providing expertise in investigations.

Front-line officers

Police officers on the front line play a significant role in combating hate, and much of the B.C. Hate Crime Team's effort is spent addressing this issue.

Two of the team's full-time investigators deliver presentations to other police across the province.

If a police officer responding to a hate crime doesn't recognize the key indicators of hate-motivated crime, if the crime is not treated appropriately by investigators or brought to the attention of the B.C. Hate Crime Team, and if the true motivation of the crime is not identified, the legislation within the *Criminal Code* to deal with hate crime effectively may not be applied.

Partners

The Crown Counsel assigned to the hate crime team provides legal advice to the investigators and assists the local Crown Counsel in making the decision to lay hate propaganda charges and putting together hate crime sentencing packages once an offender is convicted of a hate crime.

Another integral partner is the Multiculturalism and Inclusive Communities Office, which is responsible for the government's multiculturalism and anti-racism program.

The program is carried out through grants authorized by the *Multiculturalism Act*. It aims to prevent and eliminate racism by enhancing community understanding of multiculturalism and cultural diversity in British Columbia.

The Act outlines government policy specifically to create a society where there are no impediments to the full and free participation of all British Columbians in the economic, social, cultural and political life of the province.

The province has a strong commitment to the Act. It has created the Critical Incident Response Model (CIRM), a three-step, three-year program that supports communities to develop locally designed response and prevention strategies and protocols to counter incidents of racism and hate.

This program has proven its value and worth on several occasions, most recently in Courtney, B.C., where an assault of a black man by three white men was videotaped and posted to YouTube. The incident received much national attention. Courtney was already in the CIRM program and had developed a community protocol on how to deal with an incident of racism or hate.

By bringing together a representative of the CIRM group with RCMP in Courtney, an appropriate media response was developed, which diffused anger and concerns in the community.

Legislation

What many police officers and members of the public do not know is that the *Criminal Code of Canada* has several sections that deal specifically with hate.

These sections include the Hate Propaganda Sections, 318 (Advocating Genocide) and 319 (Public Incitement of Hatred and the Wilful Promotion of Hatred). Sections 320 and 320.1, both warrant of seizure sections, deal specifically with hate propaganda. Section 430.(4.1)(Mischief to Religious Property) speaks directly to the offence being motivated by hate, prejudice or bias based on religion, race, colour or national or ethnic origin.

One of the most powerful pieces of legislation is Section 718.2, the greater punishment section, which gives the court the ability to impose a greater sentence on an individual if the judge believes the offence was motivated by hate.

The B.C. Hate Crime Team assisted in the recent investigation and conviction of Michael Kandola, who plead guilty to assault causing bodily harm, which was motivated

The impact of hate crimes extends beyond the initial victims and creates fear in the broader communities.

by hate based on sexual orientation. In Justice Grove's remarks, he said the Crown had proven that hatred of the victim's sexual orientation was the motivation behind his actions.

Justice Groves said this hatred was an aggravating circumstance that he must consider in sentencing.

Trends

The most common offences that the hate crime team deals with are mischief, assaults, threats and hate propaganda. With developments in technology such as the Internet and social networking websites, investigators have seen an increase in complaints of hate propaganda. Organizations that track hate activity on the Internet estimate that there are thousands of hate sites today.

The Internet is the main tool used by hate groups worldwide for recruiting, expressing their ideology and rhetoric, and selling their hate music, which is an industry unto itself.

Investigators are well aware of the balance between freedom of expression as expressed in Section 2 of the *Canadian Charter of Rights and Freedoms* and the hate propaganda Sections as spelled out in the *Criminal Code*.

Although many investigations of hate propaganda have taken place, only one such investigation since 2002 has met the high standard for charge approval in British Columbia.

It resulted in a criminal conviction for the Wilful Promotion of Hatred, and it was based on the content of a website.

The B.C. Hate Crime Team began its investigation of this particular website in 2004.

Bill Noble was believed to be responsible for the U.S.-hosted site although he resided in Fort St. John, a community in northern British Columbia. The website promoted hatred against Jews, blacks, homosexuals, non-whites and persons of mixed race or ethnic origin.

The site also expressed an interest in recruiting skinheads and was linked to several well-known neo-Nazi/white supremacist websites. Noble was found guilty and received a sentence of six months in jail.

Often in these types of crimes, the individuals responsible for maintaining and controlling the hate sites believe that by hosting them in another country, they are safe from prosecution or investigation in Canada.

Investigators on the B.C. Hate Crime Team team believe that if an individual maintains and controls a website from Canada, regardless of where it is hosted, and this site is viewable to Canadians and meets the high threshold when balancing freedom of expression and hate propaganda, the individual is subject to investigation and prosecution in Canada.

Post-disaster crime

Protecting Haitian children from child sexual exploitation

By Sgt Lana Prosper,
Victim Identification Unit
Roberta Sinclair, PhD, Research and Development Unit
Canadian Centre for Missing and Exploited Children

When a magnitude 7.0 earthquake struck Haiti on Jan. 12, 2010, the Canadian Police Centre for Missing and Exploited Children (CPCMEC) went on high alert. Such widespread devastation would not only mean high death tolls and injuries, but an increased vulnerability to crimes of opportunity.

In a country where 40 per cent of the population is 14 years of age or younger, protecting Haiti's children from child sexual abuse became a priority.

The natural disaster-abuse link

The sad truth is that the demand for child sexual exploitation images necessitates the sexual abuse of a child, and modern technology facilitates the almost instantaneous production and distribution of images depicting this form of abuse.

The connection between a natural disaster and the increased risk of child sexual exploitation is very real and exists largely because of a child sexual abuse imagery cycle. The cycle can be summarized as follows:

- A child is sexually abused and photographed or videotaped.
- The imagery is uploaded to the Internet.
- Like-minded offenders worldwide download and view the images.
- Offenders request new images of the same child or new children. This demand creates a hierarchy among offenders.
- New imagery is then produced to gain status.
- The victimization continues each time the images are viewed or forwarded.

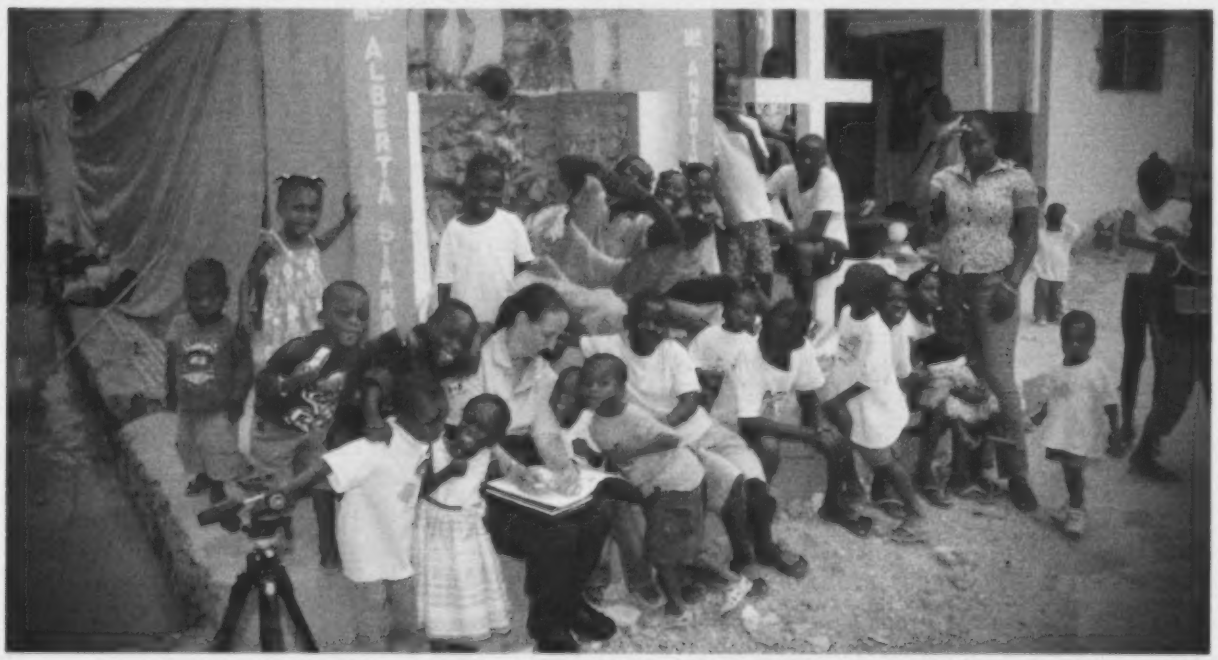
The hierarchy among offenders within the context of child sexual abuse imagery is a key factor in information-technology-enabled exploitation. New, never-before-seen images are linked to status in the offender networks.

Newness of images and victims, and severe violence, are sought-after traits for many offenders.

When a country deals with an extreme disaster, as was the case following the 2004 tsunami and the recent earthquake in Haiti, there is a weakened capacity to provide adequate protection for citizens, including children.

And just as emergency aid is time-sensitive, so is the opportunity to abuse: offender networks often seize this window of opportunity during post-disaster chaos to sexually exploit children.

Sgt Lana Prosper, a victim identification specialist with the Canadian Centre for Missing and Exploited Children, was deployed to Haiti following the devastating earthquake last January. Such natural disasters create an increased risk for child sexual exploitation.



RCMP

Situation in Haiti

Immediately after the earthquake, Haiti was focused on providing citizens with the basic needs for survival. The Haitian National Police (HNP) resources were severely depleted.

Less protection and easy access to unsupervised and displaced children combined with the ever-present demand for new child abuse images made Haiti a prime target for new child sexual exploitation abuse.

To interrupt the potential abuse cycle, the CPCMEC enacted Project Sentry — an appropriate name for a project founded on the protection of children.

The centre, in collaboration with Public Safety Canada and the United Nations Stabilization Mission in Haiti (MINUSTAH), offered the specialist services of its Victim Identification Unit (VIU) to help the Haitian police prevent post-disaster child sexual exploitation.

This Canadian police response was the first of its kind and support for the project came from many international police agencies including Interpol.

The VIU comprises five RCMP members who are specialists in victim identification techniques.

Its mandate is to identify children who are depicted in images of IT-enabled child sexual exploitation.

Victim identification is a key priority because it can help investigators find children before more abuse takes place.

The unit is Canada's contribution to the Interpol VI Specialist Group and provides assistance to both national and international police officers.

While there is always more work to be done to protect children, the unit's efforts have helped to identify 127 Canadian children, and counting. Project Sentry provided an ideal venue to create a database that might one day result in police intervention and the rescue of a child.

Project Sentry

The centre deployed three members to Haiti, all of them skilled VI specialists who worked to capture the identification of Haiti's most vulnerable children, many of them orphaned since the earthquake. Between April 8 and May 7, 2010, the specialists visited 26 orphanages and took 1,236 photographs of children to be included in a database of identified children and their surroundings.

By taking photographs and collecting biographical information of the children, the risk of exploitation is decreased largely because workers in the orphanages become more alert to the risks of potential abuse. Further, if there are future cases of exploitation involving Haitian children, the database will help investigators identify victims.

The information gathered through Project Sentry will be safeguarded and held by the CPCMEC for the Haitian National Police until they are able to take full ownership.

The centre will also facilitate victim identification discussions between HNP, Interpol and MINUSTAH to enhance the international police response to victim identification.

If, in a few months, the VI specialists internationally start to see new sexually exploited images of children of Haitian descent, they will be able to run the images through the database as a starting point of their investigation. This is a new approach to child protection and represents hope that the child depicted can be identified and later found.

Education and awareness were key components of Project Sentry. Interacting with the people who work at the various orphanages in Haiti allowed the visiting members to explain the realities of child exploitation as seen by police.

"By passing on what we have learned, we are able to help them better protect the children in their care," says Gilbert Labelle, a member of the VIU. "It is often inconceivable [to them] that someone might adopt a child with the sole intent of sexually abusing that child and making a profit via sharing those images through the Internet."

In addition, when people see that police are in the area and are aware of the potential risk of sexual exploitation, this can signal a warning to potential offenders.

Looking to the future

Later phases of Project Sentry will involve developing a database on site in Haiti that the HNP can use to house the identification material and investigate future cases of child exploitation.

The centre will also provide the HNP with guidance on the protocols, techniques and standards for working with the international VIUs.

The ultimate goal is for the HNP to have a database to support its own Internet-facilitated child sexual exploitation investigations and combat the issue of travelling sex offenders who see Haiti as a destination for this activity.

Like many countries around the world, Haiti has a strong network of international non-governmental agencies working to promote child protection. While on the ground, the VIU members had the opportunity to learn more about what this work entailed.

Agencies such as World Vision, the Canadian Child Welfare League and SOS Children's Villages are just a few of the groups that work with the police (both Canadian and Haitian) to advance victim identification efforts within the country.

As there are long-term impacts of sexual exploitation, Project Sentry is an ongoing commitment.

"The RCMP is committed to child protection. Projects like Sentry are a key focus," says Luc Vidal, manager of Operations at CPCMEC.

"Through the international liaison officer network of the RCMP, we were able to rely especially on the Santo Domingo office for support on the ground."

Child protection is a priority for the federal government of Canada and for most citizens around the world. The CPCMEC team is already planning its subsequent phases of Project Sentry to help to develop the HNP capacity in responding to and preventing the sexual exploitation of Haitian children.

Throughout the deployment, the team members received excellent co-operation from the HNP.

Continued RCMP support will strengthen the existing partnership between the two agencies, and benefit the most vulnerable children in Haiti.

Migrant smuggling and human rights: notes from the field

Eastern Africa is one of the poorest, most conflict-riddled regions in the world and, within this region, migrant smuggling between countries is commonplace. The following article by Fiona David, a lawyer and researcher in smuggling and trafficking issues, seeks to provide some insights into the drivers and realities of migrant smuggling, and the human rights implications of this trade in human misery.

By Fiona David

In Canada, as in my own country Australia, law enforcement is tasked with responding to the tail end of the migrant smuggling process, the most visible aspect of which is the unlawful boat arrivals. While politicians resort to simplistic calls to "stop the boats" or "strengthen border protection," the reality is that migrant smuggling raises a host of complex criminal justice and human rights considerations.

Meet the migrants

I was recently in Djibouti, one of the poorest countries in the world, with a landscape that is described by the CIA World Factbook as "largely wasteland." Djibouti has a long coastline in the Gulf of Aden. From some of the coastline, Yemen can be reached by small boat in less than two hours.

While in Djibouti, I met with a group of young people from neighbouring countries who had sought shelter there.

They included men who had escaped from the army in Eritrea, women who had sought shelter from Ethiopian conflict and men fleeing from Mogadishu in Somalia. All lived on the margins of society in Djibouti.

Each of them clutched a small folder with their most precious possessions: documents, sometimes dating back to the 1980s, from the United Nations High Commissioner for Refugees or the Red Cross.

Djibouti (pop. 700,000) is wedged between Eritrea, Ethiopia and Somalia. With neighbours like these, it is fortunate indeed that the Government of Djibouti has a refugee program. The government hosts approximately 12,000 people in its one refugee camp.

Yet despite Djibouti's apparent generosity, the refugee system is failing. Several of the young men told me that they literally could not get the necessary appointment with the Djiboutian refugee agency to register as refugees.

The government has made an unwritten decision that young men from Somalia are a security risk.

It is the failure of this refugee system that drives many of these young men — with no home and no other hope — to get onto overcrowded boats and to try to build a new life elsewhere.

Until fairly recently, Ethiopians and Somalis most commonly sought the services of people smugglers in the port town of Bossaso in northern Somalia.

However, in 2008, grenades were let off in an area that was heavily inhabited by migrants.

Reports vary as to why the bombings occurred, but 25 Ethiopian migrants were killed. Increasingly, migrants are choosing to use the relative safety of the Djibouti–Yemen route.

Meet the smugglers

While in some senses people smugglers provide a necessary safety valve for people who need to escape civil persecution, the reality is that people smugglers are not all Oskar Schindlers.

In Eastern Africa, recent research confirms that migrant smugglers are deeply implicated in perpetrating violence, including sexual assault of migrants, extortion, theft and racketeering against the migrants themselves.

For example, smugglers on the boats operating between Somalia and Yemen are known for their violent and abusive

This abandoned vehicle was used to transport migrants through the desert to the beaches of Djibouti where smugglers meet their passengers.

Courtesy Fiona David

behaviour. Deaths on this route are common: people are known to have been thrown overboard for moving or causing trouble. As the Yemeni coast is heavily guarded by soldiers, passengers are often forced into the sea just off the coast and left to swim ashore without assistance. If they cannot swim, they drown (Human Rights Watch 2009).

Recent research also confirms that in many parts of Eastern Africa, border patrols and law enforcement are complicit in the smuggling process.

For example, large numbers of Ethiopians take the overland journey south to the relative affluence of South Africa. Along this journey, border officials in Tanzania are known to be violent and some of those smuggled through Tanzania report having been stripped of all their money and possessions, invasively searched and detained (Horwood 2009).

The law enforcement challenge

In addition to endemic corruption, lack of resources is the norm in this region. Recently, I spoke to the equivalent of the local mayor in a small coastal town that is a major departure point for smuggling by sea. He said that in any one day, 500 people will wait to meet up with smugglers in his dusty, barren town of 10,000 residents.

When they arrest smugglers and migrants, he has to feed and house them for up to a week before they can be transferred to the capital city 250 kilometers away. He said people smugglers who are arrested and transferred are known to return the same day.

The push factors that drive demand for the services of people smugglers are strong. The mayor said he has tried everything to deter the migrants from leaving on the smugglers' boats, even going so far as to make prospective migrants bury the corpses of other migrants that have washed up on the beaches.

However, even this brutal action does not deter migrants from attempting to leave. The factors that push them out (civil unrest, famine, lack of basic necessities of life) and pull them overseas (the mere chance of a better life) are stronger than the fear of drowning.

Towards solutions

While far from perfect, the international community has hammered out a consensus agreement on how to respond to the smuggling of migrants as a crime type: the *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (the UN Smuggling of Migrants Protocol). The Protocol seeks to balance the need to address crime, while also protecting the rights of the smuggled migrants.

By signing onto the Protocol, governments agree that they will criminalize people smuggling (that is, the procurement of the illegal entry (or residence) of another *for profit*).

However, the Protocol also contains a number of other provisions. For example, countries that sign onto the Protocol agree to take the following steps:

- protect smuggled persons from death, torture or other cruel, inhumane or degrading treatment or punishment;
- protect smuggled migrants from violence;
- provide appropriate assistance to persons whose lives or safety are endangered by smugglers;
- promote and strengthen development programs aimed at combating the root causes of migrant smuggling, such as poverty and under-development.

The challenge is to turn these fine statements of principle into appropriate laws, policies and responses on the ground. For example, what does it mean to "protect smuggled migrants from death and violence?"

In the Eastern African context, numerous migrants literally die either of thirst in the desert or from drowning in small boats.

Confronted with a similar issue along the U.S.-Mexico border, the U.S. Government initiated the Border Safety Initiative. This has included the insertion of rescue beacons in deserted locations for migrants who become stranded and need emergency assistance, and training for officials in search and rescue (Guerette 2007).

Conclusion

Migrant smuggling is a complex issue. Responses have to strike a delicate balance between the need to allow people to seek refuge, while not allowing those responsible for the darker side of this trade to escape justice.

Having ratified the UN Smuggling Protocol, countries such as Canada and Australia have recognized that law-and-order responses are part of the solution, but equally important are the related elements of prevention, development assistance, international co-operation and practically focused efforts to protect the lives and safety of smuggled migrants.

Fiona David is an independent consultant whose clients have included the International Organization for Migration and the UN Office on Drugs and Crime. Her recent assignments include drafting a Model Law to implement the UN Smuggling Protocol, and reviewing national laws on migrant smuggling in 13 Eastern African countries.

The views expressed herein are solely those of the author.

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Human trafficking: challenges and opportunities for police

Courtesy Fiona David

Individuals are trafficked into every industry where their exploitation can make others money, including farms, factories, war zones, construction sites, fishing boats and even private homes.

By Anne T. Gallagher and Paul Holmes

It is now recognized that human trafficking affects most countries of the world. In the public mind, and in the minds of many law enforcement officials, trafficking is most commonly associated with exploitative prostitution. However, as we learn more about this crime type, it has become clear that the end-purposes of trafficking are as varied as the potential for profit: individuals are trafficked into every industry and area where their exploitation can make others money. This includes farms, factories, war zones, construction sites, fishing boats and even private homes.

Exploitation associated with trafficking is certainly not new, but it is only over the past decade that national law enforcement agencies have been called upon to play an active role in identifying and protecting victims and investigating perpetrators. While some progress has been made, the challenges to a truly effective criminal justice response to trafficking are considerable. This article first summarizes the current international consensus on what should be done to end impunity for traffickers and secure justice for victims. It then outlines what the authors have identified as the essential elements to an effective criminal justice response.

Obstacles to an effective criminal justice response

In every part of the world, prosecutions for trafficking-related crimes are very low when measured against the size of the problem. Victims are too often misidentified as illegal migrants or illegal workers — or not identified at all. Despite being the key to successful prosecutions, victims are almost never brought into the criminal justice process as witnesses.

While this is changing slowly, there can be no doubt that the odds continue to favour the criminals. The reasons are not difficult to fathom. Traffickers operate around industries that are poorly regulated and poorly policed. They prey on marginalized and powerless individuals: migrant workers, children, women escaping poverty and violence. The trafficking process itself usually operates to increase vulnerability. Victims are subject to physical and psychological violence; their identity documents are taken away; their families are threatened. Often it is not even necessary to lock up a victim of trafficking as coercion and intimidation create their own chains.

From a law enforcement perspective, the practical obstacles to an effective criminal justice response to trafficking are considerable. They include the following:

- The complexity of the crime: trafficking is a difficult, time-consuming and resource-intensive crime to both investigate and prosecute.
- Heavy reliance on victim testimony: Except in cases of proactive, intelligence-led investigations (still the exception in every part of the world), victims are usually the only witnesses able to give a full account of the crime. They are therefore essential to proving a human trafficking case. This raises very difficult practical and evidentiary issues.
- Lack of experience: Trafficking and the forms of exploitation with which it is most commonly associated are essentially "new" crimes. No country can yet lay claim to genuine,

extensive experience in dealing with trafficking as a criminal phenomenon. Most countries are developing and adapting their criminal justice responses on the run, and principally through trial and error.

- Lack of co-operation across borders. Co-operation and cross-fertilization of ideas across borders is still very limited. Mistakes in one country are not quickly corrected in another. Good practices and lessons learned are not disseminated as widely and rapidly as they should be.

It is also necessary to take into account the highly charged political and social environment around this issue. Trafficking is implicated in some of the most sensitive issues of our time including labour migration, prostitution and discrimination against vulnerable minorities. Law enforcement agencies may find themselves caught up in debates and controversies that can affect their ability to address trafficking diligently and professionally.

Elements of an effective national response

In 2008, we published an academic paper, "Developing an Effective Criminal Justice Response to Trafficking in Persons: Lessons from the Front Line," summarizing our experiences of working with criminal justice agencies in more than 40 countries on the issue of trafficking.[1] In that paper we proposed eight elements of an effective national criminal justice response to trafficking. They are as follows:

A strong legal framework

The national legal framework needs to be clear and complete. It needs to criminalize trafficking and related offences including those forms of abuse and exploitation that are inherent in trafficking. The legal framework must also enable the rest of the system, for example, by ensuring that investigators can do their job properly, that victims can access remedies, and that evidence can be exchanged across borders.

A specialist law enforcement response

Trafficking cases require specialist investigators. Specialist trafficking units staffed by trained investigators are now a feature of many national police forces. To be effective such units must be well resourced. They should be mandated to conduct or to supervise and advise on all trafficking investigations undertaken within the country. They should be empowered to exercise the legal and procedural powers required to conduct trafficking investigations using the full range of available investigative techniques.

Front-line law enforcement capacity

The best specialist investigators still rely heavily on their colleagues in the field. Frontline officials, whether they are police, customs, immigration or labour inspectors are almost always the ones who have responsibility for identifying victims of trafficking in the first place. It is these same officials who bear responsibility for managing the first crucial hours of any trafficking investigation until specialist investigators are in a position to take over the case. This means that frontline officials will often be responsible for critical tasks such as victim safety, evidence preservation and detention of suspects. Frontline law enforcement agencies require strong and consistent support, including resources, training and direction, to do this job properly.

Prosecutorial and judicial support

This is the key to ensuring that the work done by investigators is not wasted. Lack of knowledge or commitment at the prosecutorial and judicial level can be fatal. On the other hand, a well-informed prosecutorial service and a committed, aware judiciary can make all the difference.

Victim protection and support

Victims have a dual role in the criminal justice system. The system is there to help them secure justice including conviction of perpetrators and access to remedies. But victims also have a role in serving justice more broadly. Prosecuting traffickers remains heavily dependent on the co-operation and involvement of victim-witnesses. Their welfare, their state of mind and their future becomes a direct concern to the criminal justice system on a number of levels.

Effective international co-operation

A great deal of trafficking involves movement across States and persons or evidence located in two or more States. The best investigations and the best prosecutions will not treat this as a local crime but will extend to embrace the entire chain of events. This inevitably means international operational co-operation to exchange intelligence and conduct joint investigations, and international legal co-operation to exchange evidence, suspects and the recovery of assets.

Political/community support

The effectiveness of a national criminal justice response to trafficking depends heavily on factors outside the immediate ambit and control of the criminal justice system itself. Without community understanding and support, without informed political commitment, an effective criminal justice response to trafficking will elude the best police force, the strongest prosecutors and the most informed judges.

For those working in the field, there can be little doubt that trafficking and related exploitation is not decreasing and is quite probably getting worse. In the coming years, the job of law enforcement will certainly become more complicated and possibly more politicized. A clear understanding of what an effective criminal justice response to trafficking should look like, an appreciation of the obstacles to securing such a response, and a willingness to consider changing what is not working will stand national police agencies in good stead, now and into the future.

Anne T. Gallagher is an international lawyer specializing in trafficking. She is the former Adviser on Trafficking to the United Nations High Commissioner for Human Rights.

Paul Holmes is an independent law enforcement adviser and former operational head of the sex-trafficking squad of New Scotland Yard.

1 http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=73070

Walk with her

Former trafficking victim speaks out

In 1998, Timea Nagy became an unsuspecting victim of human trafficking. Now, at age 33, she is an outspoken advocate for other victims: she counsels survivors, trains and educates police audiences, and has written a book — all through her non-profit agency, Walk With Me. Gazette *writer Caroline Ross spoke with Nagy about her journey and its outcomes.*

How did you end up a victim of human trafficking?

I lived in Budapest, Hungary. I answered an ad for a summer job [in Canada]. I signed a contract in English; they paid for my ticket and I came to Canada. The job wasn't babysitting or housekeeping, it was stripping, but I only found out when I got here. I had to strip for two and a half months [until I could escape].

Human trafficking survivor Timea Nagy is now an outspoken victims' advocate who also provides awareness training to police forces across Canada.

Courtesy Timea Nagy

When did you come forward to Canadian police?

Nine months after [I escaped], [a friend] said, "Look at the newspaper." There was an interview with a Hungarian girl who had the identical story to mine.

Police [in the article] said she was a victim of exploitation, and if there were more girls out there, [they] would love to hear from them. I sat on that interview for three months, thinking, "This is a trick. They just want to put us in jail." [Eventually] I went to the detective from the newspaper, and he really did see me as a victim.

What factors besides fear make it difficult for victims to come forward?

Most [girls] don't understand that they are trafficked victims. Police usually find them under weird or different circumstances [e.g., assault cases]. These girls are [also] getting brainwashed [by their handlers] on a daily basis that the police are the enemy.

How can police start to build trust with victims?

These girls got into this mess because they needed care and attention. [Recruiters] charmed them in. Charm — that's the key. If the police can use the same "weapon," it actually works. I say that on every presentation [I give to] police officers, and they look at me like, "huh?" And I say, "Yes. If you smoke, ask her if she wants a cigarette. If you drink a Tim Hortons coffee, ask her if she wants a coffee." I see cops doing it, and it's unbelievable, the results they get. Another thing police can do is a lot of positive press.

These girls do read the newspapers [themselves or through friends]. Once they start to hear that the police are here to help, they [begin to] understand that they are trapped. The police have to send out the message that, "We are here to help. If you see us on the street, don't be afraid to come up to us."

You are trying to develop an international counselling program for victims of human trafficking. Tell me about that.

The idea is to use existing resources — crisis counsellors and non-profit organizations — and retrain them for human trafficking [cases].

The mindset of a human trafficking victim is like you have a kidnapping victim, a rape victim, a child molestation victim, and a sexual assault victim all together.

These victims need a whole different [type of counselling] program. The [Walk With Me] strategy is to build a model [in Ontario], then hopefully get other provinces to pick up on it, so when victims move around, they can take the same program and follow up on the steps they started [somewhere else].

Any last tips for law enforcement?

Yes, when you stop a car and there are three or four girls in it with one guy, remember that you [could be] dealing with human trafficking. Most of the time these girls are in cars going to calls or from motel to motel. I know [officers] think they're looking at prostitutes, but those girls may very well have been taken from home two years ago. Give them a moment.

For more information, visit: www.walk-with-me.org

Policing must adapt to deal with highly charged protests

By Her Majesty's Chief Inspector of Constabulary Sir Denis O'Connor CBE, QPM

When I set out along the road of reviewing London's G20 protests and addressing the wider issues facing public order policing in the United Kingdom, there was one key question at the forefront of my mind.

"How can the police service adapt to the changing demands of public order policing whilst retaining the core values of the British Model of policing?"

That model — first articulated by the founder of London's Metropolitan Police, Sir Robert Peel — is an approachable, impartial, accountable style of policing based on minimal force and anchored in public consent.

My assessment in two published reports is that adaptation in British policing is necessary to deal with highly charged protest events as conventional tactics no longer work.

I believe that those highly charged events need the following:

- recognition / understanding of their character and purpose
- a sure-footed assessment of the additional pressures they place on striking a balance between the needs of protestors and others where there is a premium on public confidence
- an extended repertoire of conflict-management tactics consistently deployed

In the U.K., these events require the police to strike the very delicate and often difficult balance between competing interests.

Police must, as the Met did, ensure international events such as G20 can take place while facilitating peaceful protest.

This is increasingly important as we head towards the London Olympics in 2012, when several of England and Wales' forces must work together.

However, those 43 forces do not have common standards of training, tactics or leadership to enable them and their exposed officers to operate coherently and effectively with one another at regional, national and international events.

For example, there are five ways of training with shields. Similarly, there are no agreed principles on the use of force, or the measured and calculated escalation of force. This must be rectified.

Updating guidance takes too long (currently over a year) and leads to too many manuals that look like telephone directories.

But the shortfall is not simply a technical or tactical matter.

For example, many officers we spoke to thought that proportional force meant reciprocal rather than minimal — that they must react if there was non-compliant behaviour.

In a tight corner on a hot afternoon, officers need a touchstone that copes well with the demands of charged events when making difficult decisions.

In our view, the British Model does the trick. This model puts the police "amongst the people" rather than separated through devices such as water cannons. It allows them to assess the temper of the crowd and individuals. Its strengths are well suited to the mixed crowds, contested spaces and competition for publicity associated with modern protest.

Our recommendations include nurturing it and its application to public order policing.

HMIC, in its role as a fierce advocate of the public interest, is committed to ensuring that the service learns from the painful experiences of recent years, embraces its rich history and sets itself up to succeed in the future.

HMIC are working with the Association of Chief Police Officers to review the revised Public Order Manual and Training Packages to make sure that human rights considerations are fully integrated into operational guidance and that the content is easily accessible to those who need it.

We are also monitoring the nature of protest across the country.

As a result, we are in the process of developing a supplement to Adapting to Protest that examines the interplay between the rights to freedom of expression and assembly following the emergence of right-wing protests and counter protests.

If there is a secret weapon, it is respect for what the British Police do.

Winning that respect — and the consent that goes with it — is even more important in this 24/7 world.

A precious trust was placed on the British Police to strike the right balance between order and liberty in Peel's original conception. It was an idea and ideal worth striving for then and now. That is why we recommend it.

Kevin Masselink, Toronto Police Service

Policing of highly charged protests must strike the right balance between order and liberty.

Before joining the Inspectorate, Sir Denis O'Connor was Chief Constable of Surrey (UK). He has also served as Deputy Chief of Kent and Assistant Commissioner in London.

Do you discriminate?

Training, community involvement great tools for preventing bias

By Tom Chapman
Dalhousie University

Do you discriminate? Do your prejudices show in your work? Most police officers do not consider their actions or behaviours as discriminatory, but they may be surprised to learn that they are unintentionally biased in their day-to-day duties. Subtle and even overt discrimination can manifest in the way a police supervisor treats employees or in the manner officers interact with the communities they serve. Often it is unperceived bias that is to blame.

Human Rights legislation provides fundamental protection to everyone in Canada for specified activities based upon individual or group characteristics. The first human rights legislation came into effect in the 1960s. Ensuring these rights are protected and honoured is a continually evolving process.

Consider the transformation that took place between 1960 and 2010 in how police officers themselves acquired rights in their own employment. Not so long ago, a person had to be of a specific height and weight to become a police officer, and women were just starting to be recruited yet required to resign if they became pregnant. The entrenchment and advancement of human rights has changed this so that we now enjoy a more equitable work environment. Greater latitude in the areas of maternity and parental leave, recruitment standards, varied duties for injured or disabled officers and uniform adjustments are now afforded to accommodate gender, culture, religion and other protected grounds that human rights legislation grants us.

With the advent and widespread practice of community policing principles combined with human rights and constitutional legislation, can discrimination still be possible? Unfortunately, the answer is yes, but it can be prevented.

Although some policing actions may be deliberately biased, many simply originate from a lack of awareness and knowledge of fundamental human rights and their implications.

What do police officers need to know? Human rights legislation provides protection in the areas of accommodation, employment and goods and services for protected grounds such as race, colour, religion, gender, age, marital and family status, sexual orientation and disability. Just as officers enjoy these rights in employment, the expectation is that the service they provide to the public will be delivered in an equitable manner upholding the same protected rights.

As with any law, police officers need to stay informed and know what is required by these statutes. Each province and territory, as well as the federal government, has enacted human rights legislation and the courts uphold these protections as quasi-constitutional, and interpret them liberally. All Acts are similar, yet some minor variations create the need for each to be reviewed for clarity. For example, the *Ontario Human Rights Act* specifically names breastfeeding as a gender-based activity whereas the other Acts do not specially list this protection.

Intentional or not, it's still discrimination

In lay terms, discrimination is any differential treatment of a person or group based on individual characteristics that excludes, denies or prevents that person or group from participating or enjoying the same rights, freedoms, liberties or opportunities available to others. Intent is not required to be proven. It is the effect of the treatment that is considered crucial. Discrimination may be direct (intentional) or adverse or systemic where no intention is involved. A genuine rule or standard may adversely affect some people such as forcing shift workers to work weekends contrary to religious beliefs. Likewise, height and weight requirements may unfairly eliminate certain classes of people. Systemic issues occur from long-standing prejudices or stereotypes. The old belief that women do not have the body size or strength for police work or firefighting comes to mind.

Although legislation focuses on remedying discriminatory situations and works to resolve, educate and prevent discrimination rather than applying penalties, there are consequences for those found contravening these protections. There are several avenues to provide victims with relief from discriminatory situations. These include mandating educational sessions to the person who discriminated, changing a policy or, in some cases, providing monetary compensation. Civil suits are also possible. All Police Acts include discriminatory behaviour as discreditable conduct thus creating possible disciplinary measures.

A couple of examples will show how easily misunderstandings can lead to discrimination.

- Police stop a man in an area where break and enters are frequent. He speaks very little and does not openly respond to questioning. Police arrest him, but later he is released unconditionally. It turns out that he is a rabbi who was observing a custom of silence on the Sabbath, but the arresting officer was not familiar with this custom. The arresting officer did not recognize the man's right to silence in observance of a religious obligation. By being aware of the possibility of a this man's actions resulting from a cultural or religious basis may have led the officer to a different course of action.
- A person of colour is stopped for speeding and police ask him if he is Canadian. This seemingly innocent question does not respect human rights. What does nationality or citizenship have to do with a traffic violation other than possibly indicate an adverse bias towards a person of colour? Would the same officer ask a Caucasian person the same question? Obtaining the person's driver's licence can answer that

> question but does the officer need to know the answer anyway? Subtle variation in an officer's approach can make all the difference.

How do you prevent violations when delivering policing services? A few simple strategies can go a long way.

First, better trained police officers have insight and the ability to relate to multi-racial, diverse communities. Coupled with on-going in-service cultural sensitivity and diversity awareness education, police agencies can reduce adverse and systemic discrimination. Human Rights Tribunals consistently recommend or mandate training to rectify discriminatory circumstances. Police need to understand what constitutes prejudiced behaviour before it can be corrected.

Second, community policing principles encourage mutual understanding and build trust between the community and police. Community policing focuses on mutual problem-solving rather than enforcement. Working together helps to break down barriers between community members and police. By truly getting to know the community, the community can get to know the police. Officers can get involved by volunteering their time and expertise, and showing the community they are good neighbours and community partners — not just the ones who show up to issue a ticket, make an arrest or answer a call. In this way, officers learn about the various cultures and customs in the community and in turn understand the people they deal with day to day. They can avoid making incorrect assumptions because they better understand the cultural mosaic.

Third, police agencies need to be representative of the community they serve by recruiting and retaining officers from diverse cultures and ethnicities. Although this strategy is more organizationally based, locally police can work together and develop community consultative groups.

These groups can give police officers insight on rights-based issues that they may not have perceived or considered. Building partnerships, and understanding and respecting mutual expectations, helps eliminate preconception on both sides. If an agency is not representative of the community it serves, it should at least strive to better understand the community's issues and needs by engaging with them.

Finally, police agencies should create a welcoming atmosphere for members of the community. Some police services have developed youth camps, cadet corps, special recruitment and police information events, tours and open houses to successfully create interest in policing careers and to take the mystery and distrust out of policing.

Learn more about human rights by contacting your human resources or diversity co-ordinator, take cultural awareness courses, enrol in human rights courses or simply read up on the topic. Eliminating discrimination and developing a harmonious cultural mosaic is a long process. Making yourself aware and being part of that change is an important first step.

Tom Chapman is a retired OPP Sergeant Major now working as manager of law enforcement operations in Parks Canada. He instructs the Policing and the Law of Human Rights course at Dalhousie University.

By truly getting to know the community, police officers can learn about the various cultures and customs and avoid making incorrect assumptions

RCMP

Racially biased policing: a science-based perspective

By Lorie Fridell, PhD
Department of Criminology
University of South Florida

Officers in the U.S., Canada and elsewhere are hearing that racially biased policing is caused by "widespread racism in policing." This simple cause-and-effect equation is erroneous, insulting to the mostly well-meaning officers in these countries, and detrimental to constructive discussions between community stakeholders and police.

There are racists in all professions, including the policing profession. Some actions on the part of police reflect intentional (or at least, callous and unconcerned) discrimination against people of colour.

However, science indicates that focusing exclusively on ill-intentioned biased behaviour in policing is misguided.

Academics in the U.S. and Canada who study the social psychology of racial bias tell us that implicit, or unconscious, bias can affect what people perceive and do; this can even affect police and others who have non-prejudiced attitudes at the conscious level. These associations or mental shortcuts include automatic or implicit associations between racial/ethnic minorities and crime. The phenomenon is consistent with what Malcolm Gladwell referred to as "thinking without thinking" in his book *Blink*.

The race-crime "blink" response might lead an elderly white woman to call the police on the person of Aboriginal descent talking on his cell phone in a car parked out front.

The race-crime "blink" might lead one officer to ignore the danger posed by a white person. It might lead another officer to become instantly suspicious of the two young black men driving in an all-white neighborhood — with no basis other than their "race-out-of-place" status.

A supervisor might direct intensive deployment to the gathering of black motorcyclists, but not white motorcyclists even without any evidence of different behaviour on the part of the two groups.

The recognition that racial bias is a human frailty of good, well-meaning people can promote a more constructive discussion of the problem of racially biased policing and it can direct us toward effective interventions.

I have seen firsthand the destructive impact of the traditional cause-and-effect equation.

Several years ago, at a meeting of high-level personnel in an East Coast police agency, I was outlining what the department might do to address racially biased policing. (I had not covered the science of bias.) A high-ranking attendee said, "We can't do any of those things, or we'll be admitting we are racists." To him, addressing the "right side of the equation" (racially biased policing) implied an admission of the left

Even the best officers, because they are human, might practise racial bias.

RCMP

(widespread racism in policing). Clearly the equation was impeding change.

More recently an African-American resident attended one of my police-resident trainings on this topic. He listened to my coverage of the science of bias and my claim that even well-meaning people might manifest it.

About halfway through the first morning of training, he surprised us all by saying, "I came into this thinking all police were racist, and now I don't think so." He believed in the right side of the equation (that racially biased policing exists), and, until that day, had no other explanation but "widespread racism in policing."

The implication of this science is that even the best officers, because they are human, might practise racial bias and therefore even the best agencies, because they hire humans, must be proactive in promoting fair and impartial policing. Those proactive efforts must target both the ill-intentioned and the well-intentioned people.

A comprehensive police department program to promote fair and impartial policing would address policy, recruitment and hiring, education and training, supervision and accountability, outreach to diverse communities, analysis of institutional policies and practices, and measurement.

Training, for example, is a key mechanism for promoting unbiased behaviour on the part of well-meaning officers. Although we cannot easily undo the implicit associations that take a lifetime to develop, training can make officers aware of their unconscious biases so they can counteract them. Indeed, social psychologists have shown that, with information and motivation, people can carry out controlled (unbiased) behavioural responses that override automatic (bias-promoting) associations.

Training to curb bias

The U.S. Department of Justice has funded a project to develop curriculums based on this science for recruits and patrol officers, and for first-line supervisors. With my partners at Circle Solutions, Inc. and with experts in policing, training and the psychology of bias, we are producing recruit/patrol curricula based on the following fundamental principles:

- All people, even well-intentioned people, have biases;
- Biases can be explicit or implicit (unconscious) — influencing choices and actions without conscious thinking or decision-making;
- Policing based on biases or group stereotypes is unsafe, ineffective and unjust;
- Officers can learn skills to counteract their normal biases to control their behaviour.

The training does not focus just on racial/ethnic bias, but on other types of biases as well. Through a series of interactive exercises, recruits experience how implicit bias can negatively impact on their policing decisions.

The recognition that racial bias is a human frailty of good, well-meaning people can promote a more constructive discussion of the problem of racially biased policing and it can direct us toward effective interventions.

One example is the "Woman/Man with a Gun" role play exercise that has been successful in showing recruits and officers how policing based on stereotypes (in this case, gender stereotypes) is unsafe. Student role players generally frisk the man who reportedly has a gun, but do not frisk the woman even though the facts are otherwise the same. Recruits reflect on how biased policing affects officers, the department and community members, and learn skills to perform fair and impartial policing.

To reinforce this training and facilitate adherence to anti-biased policing policy, the second curriculum will help first-line supervisors promote fair and impartial policing.

The training will help supervisors identify employees who may be acting in a biased manner including those well-meaning officers whose biased behaviour may not be consciously produced. It will challenge supervisors to think about how implicit associations might manifest in the employees and themselves, and provide guidance on how they should respond to officers who exhibit biased policing behaviours.

Identifying the appropriate supervisory response to biased policing can be difficult. Not only is biased behaviour very difficult to prove through the traditional complaint review system but, for the officers whose biased behaviour is not intentional or malicious, disciplinary action is inappropriate.

Since, in many instances, there will only be indications and not proof, it will be important to convey when and how supervisors can intervene to stop what appears to be inappropriate conduct while keeping in mind the ambiguous nature of the evidence and the sensitive nature of the issue.

Adopting this science-based perspective that recognizes that good, well-intentioned police officers and therefore good departments might produce biased decisions can generate a more constructive police–community discussion and guide our efforts for promoting fair and impartial policing. Police defensiveness around bias can be reduced if employees hear, not that they are all racists, but that they are all human like the rest of us.

Community stakeholders can and should stop "profiling" police — stop charging that all police engage in discrimination in callous disregard for the rights of minorities. Both groups should set aside simplistic notions of good and evil and instead recognize the frailties of human nature and work co-operatively to promote fair and impartial policing.

Lorie Fridell, Ph.D., is an Associate Professor in the Department of Criminology at the University of South Florida. She consults with police departments and provides training for command-level personnel and community stakeholders. She has worked with a number of agencies, including the Los Angeles Police Department, Toronto Police Services, Austin Police Dept. and the Institute on Race and Justice.

Just the facts

The telephone wiretap remains a vital tool for law enforcement – especially with the advent of cell phones, pagers and other portable communication devices. Here are some facts on global wiretap activities – and a look at some of the challenges and controversies surrounding these activities.

Of 2,376 wiretaps authorized by U.S. courts in 2009, 96 per cent were designated for portable devices such as cellular telephones and pagers.

Italy employs more communications intercepts per capita than any other country — 76 per 100,000 residents, according to research by the Max Planck Society. Next in line is the Netherlands at 62 intercepts per 100,000 residents.

German police conducted 5,348 telephone surveillance operations in 2008, up from 4,806 in 2007.

Between July 1, 2008, and June 30, 2009, Australian police forces made 1,715 arrests and obtained 2,109 criminal convictions based on intercepted telecommunications information.

Eighty-six per cent of all wiretap applications submitted to American courts in 2009 listed illegal drugs as the primary offence under investigation.

In 2009, the average American wiretap lasted 42 days, intercepted the conversations of 113 people and uncovered incriminating communications 19 per cent of the time.

Australian law enforcement agencies spent an average of AU$16,480 per telecommunications interception warrant in the year ending June 30, 2009.

BlackBerry smartphones are among the most difficult mobile communications devices to wiretap due to their high levels of network security and data encryption.

Extending wiretap legislation to Internet telephony services requires service providers to build "backdoors" into their systems — potentially creating holes for hackers to exploit, say experts quoted in Technology Review and IEEE Spectrum magazines.

Sixty-eight per cent of respondents in a 2006 New York Times/CBS News poll said they would be willing to support governmental monitoring of the communications of "Americans the government is suspicious of" — but 70 per cent of respondents said they would not be willing to support such monitoring of "ordinary Americans."

In 2008, law enforcement agencies in the U.K. reported 50 errors or breaches in intercepting communications — most the result of human, procedural or technical error — according to a report by the U.K. Interception of Communications Commissioner.

Between 2000 and 2008, major Canadian police forces employed warrantless "emergency" wiretaps in at least 267 cases, all involving unusual circumstances such as hijackings or hostage takings.

In 2008, the British Columbia Supreme Court ruled the use of emergency wiretaps unconstitutional.

In March 2010, following a complaint filed by 35,000 citizens, the German Federal Constitutional Court rejected a data retention law requiring telecommunications companies to keep call and traffic data for six months, citing that the law violated privacy rights.

SOURCES: Administrative Office of the United States Courts, "2009 wiretap report": www.uscourts.gov/Statistics/WiretapReports/WiretapReport2009.aspx ; *The Register*, "Italy tops global wiretap league" (7 March 2007): www.theregister.co.uk/2007/03/07/wiretap_trends_ss8 ; Deutsche Welle, "New statistics show rise in police telephone surveillance" (23 Sept. 2009): www.dw-world.de/dw/article/0,,4716600,00.html ; Australian Government Attorney-General's Department, "Telecommunications (Interception and Access) Act 1979 - Annual report for the year ending 30 June 2009": www.ppsr.gov.au/www/agd/agd.nsf/Page/Publications_Telecommunications(interceptionandAccess)Act1979-AnnualReportfortheyearending-30June2009 ; CBC News, "Criminals love the BlackBerry's wiretap-proof ways: police" (24 March 2009): www.cbc.ca/technology/story/2009/03/24/tech-090324-blackberry-wiretap.html ; *Technology Review*, "How legal wiretaps could let hackers in" (4 Feb. 2010): www.technologyreview.com/computing/24477/?a=f ; IEEE *Spectrum*, "Wiretapping woes" (May 2007): spectrum.ieee.org/telecom/security/wiretapping-woes ; *The New York Times*, "New poll finds mixed support for wiretaps" (27 Jan. 2006): www.nytimes.com/2006/01/27/politics/27poll.html ; U.K. Interception of Communications Commissioner, "Report of the Interception of Communications Commissioner for 2008": www.official-documents.gov.uk/document/hc0809/hc09/0901/0901.asp ; CBC News, "Secret police wiretaps fly under the radar" (29 June 2009): www.cbc.ca/canada/story/2009/06/26/police-emergency-wiretaps.html ; European Digital Rights, "German Federal Constitutional Court rejects data retention law" (10 March 2010): www.edri.org/edrigram/number8.5/german-decision-data-retention-unconstitutional

Mapping tool helps police share information

By Kevin Mason
Manager, Crime & Intelligence Analysis Unit
Ottawa Police Service

The Ottawa Police Service (OPS) has long recognized the value of sharing information about crimes in the community and public safety. To enhance community awareness and improve accessibility to calls for service occurring in the community, the Ottawa Police has found a way to easily merge Geographic Information Systems technology with police data for public information.

The Ottawa Police Service receives in excess of 350,000 calls for police assistance each year, resulting in about 107,000 reports and 40,000 criminal offences. The Ottawa Police recently found a low-cost and user-friendly way to share more information on where, when and what calls for assistance are generated within the city.

Customer service tool

In October 2008, the Ottawa Police became the first major Canadian police service to launch the Google-based crime mapping tool called *CrimeReports*.

The OPS looked at several options when reviewing their mapping application needs including the impact on cost, resources, and time.

The *CrimeReports* option proved to be the most cost-efficient, requiring fewer support resources and providing a bright picture for future enhancements. As well, the provider worked to accommodate requests to use Canadian nomenclature and launch enhancements to the site based on feedback from users.

Provided at no cost to the user, detailed information related to each call for mobile response received is easily accessed, including the geographical area to the 100 block, the time and type of the incident, and the final incident type, which is established once an officer has assessed the call.

Users can do specific data searches based on their own interest such as geography, crime type or even time parameters.

For example, users can search for break and enters and limit the search to their own neighbourhood and the date range of their choice.

An alert function also allows users to have information sent to their private email address each time a call for service occurs in their neighbourhood.

For those wishing to analyze the data, the website easily transfers the information into graphs allowing users to view the overall summary in an accurate and timely fashion.

Demand was so high in the first 24 hours after launch, the system was overloaded and the server crashed due to increased traffic on the site; something the service provider had not experienced in the United States where over 175 law enforcement agencies have signed on as clients.

Operational support tool

The introduction of this mapping platform has strengthened the lines of communication between Community Police Centre officers, members of the public and crime prevention groups such as Neighbourhood Watch that monitor crime activity in their areas.

Officers are able to review mobile police response within their catchment areas and can liaise with both commercial and residential property owners on current problem activity and related prevention initiatives.

Additionally, officers are able to meet with individuals and groups wishing to learn more about police presence by using the tool as an interactive "table-top" reference guide.

In many cases, discussions in this environment often bring forward additional information to support police investigations and provide an opportunity for the Ottawa Police to demonstrate proactive police presence and activities in an area to support the suppression and prevention of crime.

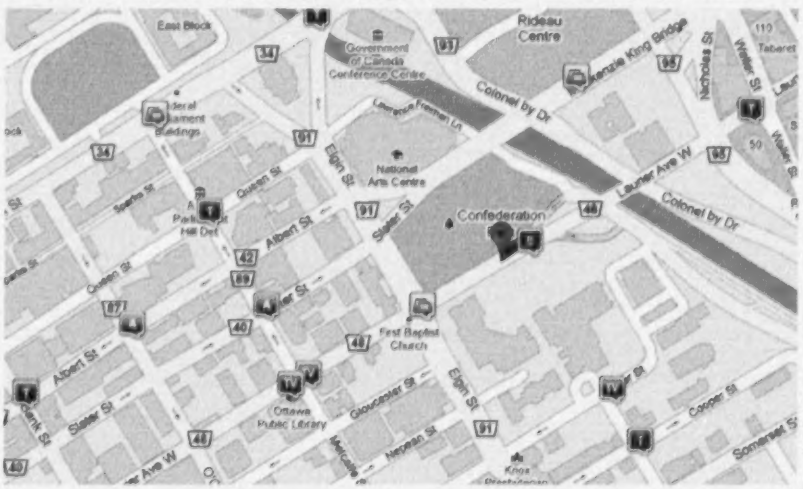
For the future

OPS has adopted a progressive and phased approach to enhancing the site, which is based on user-generated feedback (each user sees a pop-up feedback box).

Since its launch, the Ottawa Police mapping tool has undergone three upgrades, including the expanded detail listing of the property taken at individual incidents; addition of the final call case type; and a tabulated format option for those wanting to manipulate the data for analysis.

For more information, visit:
www.ottawapolice.ca

The Ottawa Police Service's crime mapping tool shows detailed information for each call for mobile response received.



Courtesy Ottawa Police Service

Policing through the ash

Iceland police no strangers to volcanic eruptions

By Chief Insp Rögnvaldur Ólafsson
National Commissioner of
the Icelandic Police
Department of Civil Protection and
Emergency Management

Volcanic eruptions are common in Iceland, occurring on average every four to five years. All the volcanic areas in Iceland are well known and an extensive surveillance system of seismometers and GPS monitoring stations has been very effective in warning of imminent eruptions.

While most of the active volcanoes are situated outside of populated areas, the indirect effects—volcanic ash, earthquakes, flash floods—can be felt for some distance. This was the case last April, when the ash from the eruption of the Eyjafjallajökull volcanic system caused the cancellation of most flights in Europe.

While international eyes were on the drifting ash, police and residents in Iceland were well prepared, having participated in an extensive emergency response exercise in 2006 that included a complete evacuation of the area around the Eyjafjallajökull and Katla volcanoes. Public awareness was key: people responded quickly to the 2010 evacuation notice and provided critical eyewitness accounts to police.

The following article describes the two volcanic eruptions that took place, and how Icelandic police responded.

First eruption

The police in Iceland are responsible for co-ordinating the civil protection efforts of all emergency responders during a disaster. Fifteen district chiefs of police are responsible for the local co-ordination with help and support from the National Commissioner of the Icelandic Police, Department of Civil Protection and Emergency Management (NCP/CPE), which co-ordinates emergency response plans at the national level.

Just before midnight on March 20, 2010, farmers called local police to report strange lights coming from the direction of the Eyjafjallajökull and Mýrdalsjökull glaciers. The National Joint Rescue Co-ordination Centre (JRCC) was activated and the local police were sent to investigate. They confirmed that a volcanic eruption was in progress.

Poor visibility that night prevented scientists from seeing the exact location of the eruption. But after consulting with the local police and the Department of Civil Protection and Emergency Management, NCP/CPE ordered an evacuation based on the response plan for an eruption at Eyjafjallajökull. The 112 centre (Iceland's 911) sent out evacuation notifications over telephone and mobile phones using SMS and pre-recorded voice messages. All 700 people were evacuated within two hours.

Scientists confirmed the following day that the eruption was not Katla or Eyjafjallajökull but Fimmvörðuháls, a mountain ridge between the two volcanoes. It was deemed a very small eruption and unlikely to cause flash floods so the evacuation was lifted.

Small but still dangerous

Being a small event, the National Commissioner of the Icelandic Police (NCP) anticipated a few people would want to see the eruption and it arranged for some gravel roads to be repaired and opened. More arrangements were made to open a scenic spot about 15 kilometres from the eruption where it could be safely admired. What police didn't expect was the large volume of people who drove and hiked up the Fimmvörðuháls ridge for a very close look.

Travelling in the highlands of Iceland is always serious business, especially in winter. Access to the Fimmvörðuháls ridge is possible only by helicopter, super Jeep, snowmobile, small ATV or on foot. A round trip on foot takes about 10-12 hours in temperatures of -17 degrees Celsius or colder in strong winds.

The challenging conditions did not prevent or dissuade visitors from going up the ridge. As many as 600 vehicles and 200 hikers—upwards of 3,000 people—headed up to Fimmvörðuháls each day. Despite daily warnings by police, many paid no attention to the dangers, which included rapidly changing weather conditions, cold temperatures, steam explosions from the lava running over ice fields, and hot flowing lava. People stood dangerously close to the lava field and, in some cases, walked on the new lava unaware that they were standing on a thin crust with 1,200 degrees Celsius hot lava under their feet.

It became clear that police needed to intervene before someone got seriously hurt. Police and ICE-SAR (a volunteer rescue organization) stationed themselves on the

Courtesy NCP/CPE

mountain to provide on-site warnings and help people who got into trouble. For instance, many hikers showing signs of hypothermia had to be helped down the mountain. Hikers were screened at the base of the mountain and were turned away if not properly equipped for the trek or if they had small children with them. Numerous drivers also needed help when their vehicles broke down, ran out of fuel or had tire damage. Despite this "tourist eruption," no one was seriously hurt.

Second eruption

Late in the evening of April 14, after the initial eruption had largely died down, the seismometers showed increased activity under Eyjafjallajökull. Again the area was evacuated and in the morning scientists confirmed that another eruption was underway, this time in the top caldera of Eyjafjallajökull. The NCP prepared for the imminent flash flood and around noon the first flood waters gushed down the Markarfljót riverbed from the glacier. Some roads were washed away and some farm fields damaged. To relieve pressure on the bridges crossing the Markarfljót, an order was given to breach the main road so the more expensive bridges would not be lost.

During the first eruption, police were busy taking calls from the Icelandic media and a few members of the foreign media.

However, following the Eyjafjallajökull eruption, which resulted in the cancellation of almost all flights in Europe, a huge wave of foreign media attention caught the NCP off guard. Phone calls from the foreign media poured in.

Eyjafjallajökull volcano at a glance

The Eyjafjallajökull volcano (pronounced "Ay-uh-fyat-luh-YOE-kuutl-uh") is located in the south of Iceland.

The volcano is covered by a glacier bearing the same name. Its sister volcano, Katla, is capped by the Mýrdalsjökull glacier.

The Eyjafjallajökull volcano erupts approximately every 200 years; the last eruption was 183 years ago and lasted for two years.

Courtesy NCP/CPE

Strong winds blowing ash and flying rocks in the opposite direction allowed Chief Insp Rögnvaldur Ólafsson the chance to measure the thickness of ash on the Eyjafjallajökull glacier and collect samples for scientists.

Communication challenges

The NCP/CPE's small media unit was overwhelmed. Police quickly set up a press centre in the same building as the JRCC and sought extra help from other agencies and branches of government. This new team of 20 people was devoted exclusively to responding to the media.

The second problem related to misinformation. During the eruption, police held public information meetings to tell residents what was going on and give them the opportunity to ask questions. One of these meetings was held for foreigners living in the area.

But police discovered that many of them were relying solely on news from their home country and the foreign media were painting a very bleak picture of the situation, showing only pictures from the small area where the situation was the worst. The foreign media were also speculating that Mýrdalsjökull might erupt.

In order to properly inform everyone, two telephone companies in Iceland offered to assist police by setting up web cameras around the volcano. The cameras proved to be very helpful not only for police and scientists to see what was going on in real time but for the public as well. Close to five million people visited the website.

For now, the volcano is pausing and we can't predict what will happen next. The farmers living closest to the volcano are dealing with ash that is covering large sections of their fields.

Ash in the area will likely be a problem for the next couple of years as strong winds can create sandstorm-like conditions. Fire departments from across Iceland and groups of volunteers have been in the area to help clean up the ash on farms.

This operation was very successful largely because emergency responders and the public were well prepared.

First responders had the necessary plans in place and had the opportunity to test them in a large-scale exercise. As is always the case, unforeseen problems and challenges do arise, but they will help police improve the existing plans and better respond to eruptions in the future.

DVI team helps repatriate Canadian victims in Haiti

By Sgt Diane Cockle and Insp Bruce Prange
RCMP Integrated Forensic Identification Services

The catastrophic 7 magnitude earthquake that struck Haiti on Jan. 12, 2010 caused massive destruction and the death of hundreds of thousands of people. In the days that followed, the full scope of the devastation became apparent as the Canadian government began receiving information about the mounting loss of Canadian lives based, in part, on hundreds of calls from concerned relatives of Canadians in Haiti. The Department of Foreign Affairs and International Trade (DFAIT), which is responsible for the recovery and repatriation of Canadians who die abroad, requested the urgent assistance of the RCMP to provide disaster victim identification (DVI) expertise to identify victims of the earthquake either for repatriation to Canada or burial in Haiti.

To assess the scope of the devastation and advise DFAIT on the appropriate Canadian DVI response, a member of the RCMP's Integrated Forensic Identification Services (IFIS) and the chief pathologist from the Ontario Forensic Pathology Service were dispatched to work with the Interpol DVI assessment team in Haiti. The team was responsible for assessing the logistical conditions and infrastructure on the ground and to identify an appropriate DVI response.

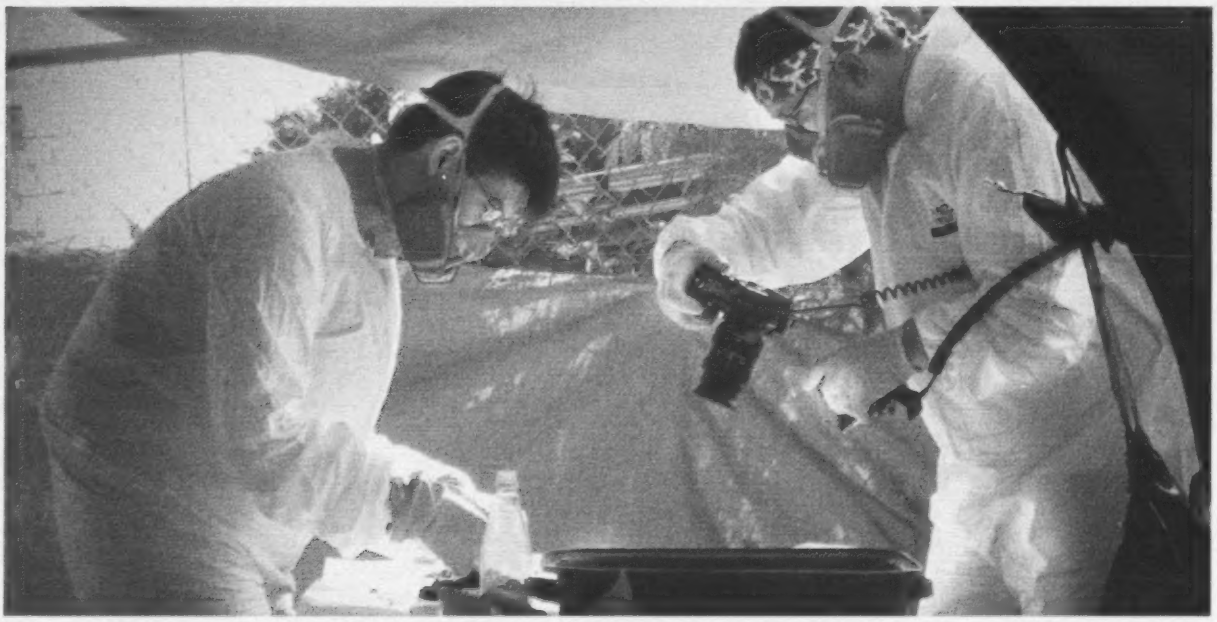
In the challenging days after the earthquake, the Canadian Embassy provided critical assistance to the assessment team by providing them with accommodation, transportation, food and water. The Canadian members of the assessment team recommended deploying a small Canadian DVI team. For the first time in Canadian disaster response, the RCMP and DFAIT took a multi-agency approach to building a DVI team.

The DVI Team comprised two complementary sections: an anti-mortem (AM) team and a post-mortem (PM) team.

The AM team was responsible for collecting identification records and other information on possible victims such as fingerprints, dental records and distinctive medical and physical information. The PM team was sent to Haiti to analyze and compare unidentified victims using anti-mortem information, including DNA if necessary. Based on the post-mortem examination of a victim and the anti-mortem information available, PM team members would be able to identify deceased Canadians.

Since most of the Canadian victims originated from Quebec, the RCMP in Quebec formed Project Courage to collect anti-mortem information from Quebec families, doctors and dentists. On the AM Team, the RCMP worked alongside members of the Sûreté du Québec (SQ) and the Service de police de la ville de Montréal. Project Courage deployed some members of its team

Canadian DVI members process the personal effects of a victim in Haiti.



RCMP, Integrated Forensic Identification Services

to Haiti to gather anti-mortem information from family members who were travelling in Haiti or living there with the victims when the earthquake hit.

Three six-member PM teams were also deployed to Haiti. Each consisted of a forensic pathologist, an odontologist, and four forensic identification/fingerprint specialists from the RCMP as well as from the Hamilton Police Service, Ottawa Police Service or the SQ. Some of the forensic identification members had recently received DVI training in Ottawa at the Canadian Police College Post Disaster Course.

In addition, the chief forensic pathologist's office in Toronto co-ordinated several provincial forensic pathologists from Ontario and Alberta who volunteered their services in Haiti. The Canadian Forces Dental Unit supplied forensic odontologists, who also helped establish direct communication with the Canadian Forces base to facilitate logistical support such as equipment, fuel, food and water.

The first PM team left Trenton airbase on board a military C-17 and arrived in Port-au-Prince on Feb. 1, 2010. At the end of the Port-au-Prince airport runway, a field morgue was set up next to a large refrigeration unit where Canadian victims were stored. The field morgue consisted of two Canadian Forces tents pitched end to end to allow air circulation. Electric generators supplied electricity for dental x-rays, laptops and autopsy tools. Each PM team that was deployed spent approximately two weeks in Haiti.

The AM team worked closely with the PM team to supply as much anti-mortem information as possible about missing individuals before autopsies were performed. Based on comparisons between AM and PM information, which included fingerprints and dental records, PM teams diligently completed positive identifications so that death certificates could be issued and victims could be returned to Canada on the next available flight or buried locally in Haiti as per the families' wishes.

The success of the PM team's positive identifications was due largely to the quantity and quality of anti-mortem information that members of Project Courage obtained. When fingerprints and dental data were insufficient for identification, PM team members would extract a bone sample and send it for cryogenic grinding at a private laboratory in Canada. The processed bone or teeth was subsequently sent to RCMP Forensic Science and Identification Services Laboratories for DNA profiling and comparison to anti-mortem DNA samples.

RCMP Integrated Forensic Identification Services

An identified Canadian victim is returned to Canada

Similar to the DVI response in Thailand after the Asian tsunami, the heat and lack of water provided some of the most extreme challenges for the team in Haiti. In Haiti, the DVI team depended on the Canadian Forces and the Canadian Embassy to provide support to operate and manage the morgue. All of the critical equipment was brought in and resupplied from Canada using military transport. Since the morgue was set up on the airfield, the team was able to access supplies in a very short time period.

Challenges

The teams working inside the morgue were subjected to temperatures as high as 45 degrees Celsius due to the humidity of the environment, the use of dark canvas tents, and the lack of air-conditioning or fans. Each member of the team worked in steel-toed and shanked rubber boots, full-body protection suits, full-length plastic aprons, goggles and half-masked charcoal filter respirators to provide relief from post mortem odours.

Within 10 minutes of suiting up, members would quickly find themselves soaked with perspiration. The team also had to contend with indigenous insects such as tarantulas, black widow spiders and millipedes, which sometimes found their way into the morgue site.

To overcome these challenges members took compulsory water breaks every 30 minutes with electrolyte replacement powders added to every second bottle of water. They used cooling vests, which contained gel panels that were frozen each night, to keep core body temperature low until midday.

The Canadian Forces supplied team members with ready-to-eat meals, which were eaten in the uncontaminated portion of the field morgue.

Purpose

The main focus of the Canadian DVI team was to bring closure to families who suspected their loved ones may have been victims of the earthquake. Oftentimes, families require confirmation that a loved one is deceased so that they can take care of the remains and begin the grieving process, bringing to an end weeks of anxious waiting and uncertainty.

By early spring, the AM and PM teams in Haiti and Canada had examined 27 victims and soon after positively identified 22 individuals. The remaining five victims were not Canadian, and were turned over to Haitian authorities.

Every disaster is unique whether at home or abroad. With the experience gained from this deployment and further training to develop and hone expertise in DVI, Canada will continue to provide quality service to the families of loved ones and the Canadian government.

The success of Canada's quick and efficient DVI response to the Haitian earthquake would not have been possible without the contributions and co-operation of DFAIT, the Canadian Forces, the forensic odontology community, provincial coroners, medical examiners and forensic pathologists, and the various police agencies working in Canada and in Haiti.

Latest research in law enforcement

The following are excerpts from recent re-search related to justice and law enforcement. To access the full reports, lease visit the website links at the bottom of each summary.

Effect of drug-law enforcement on drug-related violence

By the Urban Health Research Initiative of the British Columbia Centre for Excellence in HIV/AIDS

The present systematic review evaluated all available English-language published research on the impact of law enforcement on drug market violence. The hypothesis was that the existing scientific evidence would demonstrate an association between drug-law enforcement expenditures or intensity and reduced levels of violence.

The initial search captured 306 studies for further analysis. Of these, 15 were identified that evaluated the impact of drug-law enforcement on violence. Contrary to our primary hypothesis, 13 studies (87 per cent) reported a likely adverse impact of drug-law enforcement on levels of violence. That is, most studies found that increasing drug-law enforcement intensity resulted in increased rates of drug market violence.

The association between increased drug-law enforcement funding and drug market violence may seem counterintuitive. However, in many of the studies reviewed here, experts delineated certain causative mechanisms that may explain this association. Specifically, research has shown that by removing key players from the lucrative illegal drug market, drug-law enforcement may have the perverse effect of creating significant financial incentives for other individuals to fill this vacuum by entering the market.

While theoretically it could be argued that some increase in drug-related violence could be justified if drug-law enforcement reduced the flow of drugs, prior research suggests that law enforcement efforts have not achieved their stated objectives with respect to reducing drug supply and use. In fact, despite annual federal budgets of approximately US$15 billion and higher in the U.S. since the 1990s, illegal drugs — including heroin, cocaine and cannabis — have become cheaper, their purity has increased, and rates of use have not markedly changed.

In the face of strong evidence that drug-law enforcement has failed to achieve its stated objectives and instead appears to contribute to drug market violence, policy makers must consider alternatives. In response to the known limitations of law enforcement in reducing drug supply, several medical and scientific bodies have called for the regulation of illicit drugs.

The findings of this report do not imply that current government policies are responsible for recent increases in violence in some cities, nor do they imply that individual police officers are responsible for this violence. Rather, the evidence suggests that front-line police officers are given the task of enforcing drug laws that appear to lead to increased violence by unintentionally driving up the enormous black market profits attributable to the illegal drug trade.

To access the full report, visit: uhri.cfenet.ubc.ca

A U.S. study has found that many first responders have identified a need for more training in the area of hazardous materials.

2009 National Training Needs Survey research brief: law enforcement

By the Rural Domestic Preparedness Consortium (U.S.)

In 2005, the U.S. Congress established the Rural Domestic Preparedness Consortium (RDPC) to develop and deliver all-hazards preparedness training to rural communities across America. In 2009, RDPC conducted its second National Training Needs Survey. The survey targeted a random sample of individuals from eight disciplines representative of the rural emergency response community.

This brief focuses on the identified training needs of respondents across the law enforcement discipline. This sample included officers from college/university campus departments, county police departments, sheriffs' departments and municipal (city or town) police departments.

Provided with a list of all 37 target capabilities (on the U.S. Department of Homeland Security's Target Capabilities List, which identifies and defines capabilities that communities may need to achieve and sustain in order to prevent, protect against, respond to and recover from

major all-hazards events), respondents were asked to indicate whether each capability was important to their job function, as well as whether they were confident in performing the tasks associated with each capability. In comparing the results of these two variables, training needs were revealed.

The top five target capabilities that rural law enforcement officers considered most important to their job functions, yet were not confident in performing the tasks associated with those functions, were weapons of mass destruction (WMD) and hazardous materials (HAZMAT) response and decontamination (48.6 per cent); intelligence analysis and production (47.1 per cent); chemical, biological, radiological, nuclear and explosive (CBRNE) detection (45.7 per cent); environmental health (45.7 per cent); and isolation and quarantine (43.8 per cent).

One of the key findings among the law enforcement discipline was the overwhelming indication of unmet training needs in the area of WMD and CBRNE emergencies.

Interestingly, this area was not cited by law enforcement officers as an unmet training need in the original RDPC training needs survey (RDPC, 2006), which may be indicative of it having become a more prominent training need within the last few years.

As with the response to and decontamination of a WMD incident or HAZMAT release discussed above, two additional (target) capabilities relate to the response to homeland security-related events. In fact, these capabilities ("environmental health" and "isolation and quarantine") directly relate to a health emergency or outbreak. Not only do these two capabilities fall under the same TCL (Target Capabilities List) mission area as the capability discussed above, interestingly, they highlight the need for an "all-hazards" approach to training for law enforcement officers.

To access
the full report, visit:
www.ruraltraining.org

Crime risks of three-dimensional virtual environments

By Ian Warren and Darren Palmer
for the Australian
Institute of Criminology

Three-dimensional virtual environments (3dves) are the new generation of digital multi-user social networking platforms.

Their immersive character [which generates a three-dimensional image that appears to surround the user] allows users to create a digital humanized representation or avatar, enabling a degree of virtual interaction not possible through conventional text-based Internet technologies. As recent international experience demonstrates, in addition to the conventional range of cybercrimes (including economic fraud, the dissemination of child pornography and copyright violations), the "virtual reality" promoted by 3dves is the source of great speculation and concern over a range of specific and emerging forms of crime and harm to users.

This paper provides some examples of the types of harm currently emerging in 3dves and suggests internal regulation by user groups, terms of service or end-user licensing agreements, possibly linked to real-world criminological principles. This paper also provides some direction for future research aimed at understanding the role of Australian criminal law and the justice system more broadly in this emerging field.

In a decentralized and highly technical environment with high levels of user "responsibilization" [a process whereby subjects are rendered individually responsible for a task that previously would have been the duty of another] for harm identification, prevention and the development of appropriate norms of good conduct, there is considerable uncertainty surrounding the role of the criminal law in these multi-user platforms. This uncertainty is compounded by the wide range of regulatory choices available to users, confusion over the real-world implications of much of the behaviour within 3dves, the transnational appeal and jurisdictional uncertainties associated with these emerging media, and the broader lack of empirical research documenting how 3dve users perceive issues relating to harm, risk, safety and governance.

The body of knowledge on each of these issues is so recent that it is premature to speculate on the ideal role of the criminal law in this field. Nevertheless, a basic typology of harms associated with 3dve use can help to clarify the various regulatory and harm-prevention strategies available to individuals, user communities and formal justice agencies.

This paper outlines a graded series of harms associated with 3dve use, ranging from behaviours with purely in-world implications considered too trivial to warrant formal action, to those with clearly actionable consequences under the criminal law.

Within these extremes, a grey area of inter-real harms bridges the virtual and the real.

Inter-real harms differ from conventional cybercrimes due to the immersive character of 3dve technologies. How 3dve users view the severity of these harms is the most appropriate measure of the ideal regulatory approach in any given case.

To access
the full report, visit:
www.aic.gov.au

ICAO contributes to better practice in national identity management

By Mauricio Siciliano
International Civil Aviation Organization MRTD Program

Last December, during the 19th meeting of the International Civil Aviation Organization (ICAO) Technical Advisory Group on Machine Readable Travel Documents (TAG-MRTD), the New Technologies Working Group (NTWG) presented a working paper calling for a global focus on the weaknesses in breeder documents (documents used to establish identity) and civil registries.

These documents and registries remain a significant security vulnerability that can compromise machine readable travel documents and electronic MRTDs. While MRTD specifications are well established, little international regulation, if any, applies to breeder documents.

Breeder documents and civil registry gaps require additional attention and global efforts to codify best practices so that this knowledge may be used for action and capacity building worldwide. While ICAO has no direct mandate to address breeder document norms, the technical advisory group agreed that addressing such norms is a legitimate and important area for ICAO involvement.

The TAG-MRTD acknowledged the importance of the breeder document issue, and authorized the NTWG to engage in work directed to those ends.

As outlined in the working paper presented before the Technical Advisory Group, over the past several years, many nations have invested time, money and great expectations in enhanced travel document programs, especially in machine readable ePassports employing biometrics.

By all accounts, the current generation of ICAO-compliant travel documents is the best and most secure the world has ever known.

However, there is a threat affecting virtually all issuing authorities that can undermine or indeed subvert this important work: national identity management. National identity management deals with the kinds of documents, civil registry systems and other media that are used to verify and/or validate an applicant's identity.

Currently, many of the judgments that countries reach regarding issuance of travel documents are based in large part on the representations of the applicant in validating their bona fides.

In managing identity for the benefit of their communities and citizens, National Civil Registration and passport issuing authorities must do the following:

- establish identity;
- confirm citizenship;
- assess entitlement.

While the latter two areas are primarily sovereign matters determined by national laws and policies, all of the issues involved in establishing identity are universal, common and shared.

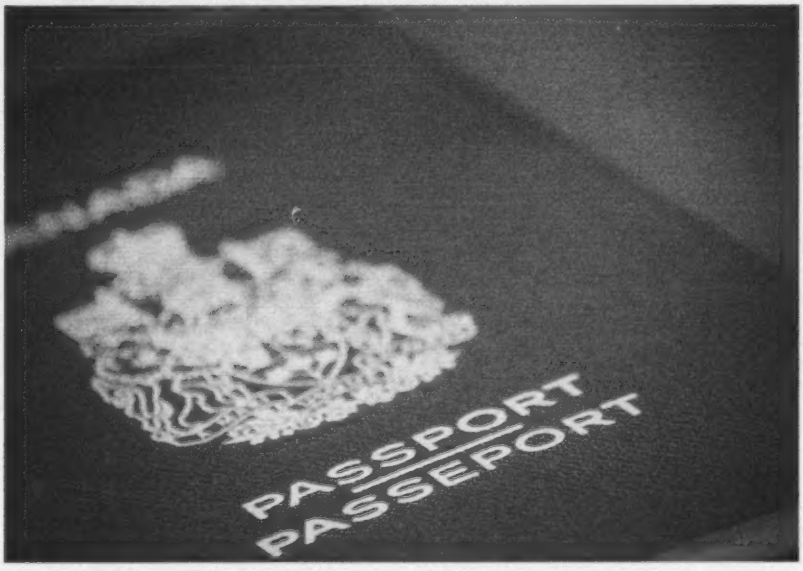
Every applicant for a certificate, identity card or travel document is making a claim to a particular identity. The first step of the issuing authority is to test the claim, in other words, to establish identity.

The claim to an identity is tested by the national authority checking three things: what does the applicant "know" about the identity that is claimed; who "is" the applicant; and what does the applicant "have" to support the claimed identity.

In this final category, the civil registration and identity documents that accompany an application for a travel document, and the application for an identity card that entitles passport issuance, are called breeder documents.

Breeder documents are the fundamental physical evidence accepted by national authorities to establish a *prime facie* claim to an identity.

While the current generation of travel documents are more secure than ever, the threat that someone could present a genuine passport issued using false breeder documents is very real.



Current challenges

The threat of an individual presenting a genuine passport that was issued on the basis of false breeder documentation is very real. In today's document-issuing environment, presentation of these false documents and false claims of entitlement

will be rewarded with a travel, residence or identity document that has far more credibility than ever before — a document that in many countries contains a chip with biometric information of the bearer.

Today's documents contain advanced security features of great capability and when present, generally attest to the veracity of the documents themselves and, hence, the bearer. With the advances that have been made in the documents, there is a much quicker and widespread presumption on the part of inspection authorities to accept the legitimacy of the documents and the bearer.

Many countries have also moved from a decentralised to a centralised personalisation system. This change allows issuing authorities to apply high-quality personalisation techniques, such as including personal data — first and last name, date of birth, photo of the bearer — on the data page, and to respond quickly to the latest developments in the area of document fraud.

The introduction of new security features, production methods and personalisation techniques has made the most recent generation of identification documents more difficult to forge. Moreover, improved staff training has increased the likelihood of a forged or counterfeit ID document being detected.

These kinds of improvements have resulted in an increasingly prevalent global shift from document fraud to identity fraud. Over the next few years, a large number of identity, travel, residence and other identity documents will contain a biometric identifier that will enable verification, within an automated environment, and remotely if desired.

Breeder documents and registries

We live in an increasingly global context that relies on high-quality identity documentation, including all underlying civil and administrative systems and processes.

Although we have taken extensive and successful steps to improve the quality of identity documents, we must still address the foundations upon which these documents ultimately reside. This includes the paper documents themselves as well as the registries and other databases that form the cornerstone for verification.

Therefore, as well as the documents that are the "usual suspects" used by applicants for travel documents — birth certificates, cards of national identity and driver's licences — often the information that is captured in these and other breeder documents also resides in a database of national content.

While the existence, quality and ease of accessing such databases varies dramatically from country to country, increasingly governments have been focusing on these database sources of information either in lieu of or in addition to the documents themselves. While this is a very useful approach to verifying the legitimacy of entitlement claims, there are sometimes limitations of a legal or privacy nature that impedes the use and utility of these databases.

Some countries are beginning to link data sources, such as birth and death records, to serve as automatic checks and verifications.

This integration initiative seeks to acknowledge the importance of these secure sources of information and to offer suggestions on their use in addition to the documents themselves.

Possible avenues forward

To limit the impact and effect of this endemic and pervasive vulnerability as much as possible, the document community must develop and articulate best practices, successful approaches and, where feasible, minimal security norms for civil status documents and the databases on which they depend.

While ICAO has the authority and capability to develop and publish travel document standards, the nature of breeder documentation does not neatly fall within that mandate.

However, since the veracity and validity of the travel documents depend on breeder documentation, ICAO does have a responsibility to take any and all measures available to improve this foundation. There are two fundamental vehicles that ICAO TAG has used to develop, assess and convey guidance and technical expectations: Document 9303 and the technical report.

The ICAO's document 9303 contains informative material that, while not mandatory standards, outlines minimum security expectations for travel documents. While admittedly requiring a careful approach, this "standards" concept should be explored.

Second, historically, the New Technologies Working Group has focused on a number of specific issues and matters, and addressed them through drafting technical reports.

For breeder documentation, whose breadth and scope and sovereignty implications suggest that standards might not be appropriate, using a technical report could be the vehicle to capture and memorialize best practices and other forms of guidance. Work on a technical report could also serve to underscore the specific nature of the breeder document problem and provide ways in which issuing authorities could enhance their abilities to assess such documents.

The path forward must be an integral component of the larger spectrum of government direction, purpose, policy and need. It will seek to:

- address the global threat to travel document integrity caused by entitlement judgments that are affected by the weaknesses of the current reliability on breeder documentation.
- focus broad international attention on the importance and magnitude of these threats with a view toward their mitigation and ultimate elimination.
- create a forum and foundation for the development of the worldwide security enhancement of breeder documentation.

In addition, work will be required over time in the other two areas for establishing identity: testing what the client "knows" and checking who the client "is."

For more information, visit: www.icao.int

Training first responders in counterterrorism

By Sonja Cermak
Communication strategist
B.C. RCMP National Security Program

The threat of terrorism in Canada is real. In fact, no country is exempt from potential terrorist attacks. For this reason, the RCMP has identified a need to include first responders and other partner agencies in counterterrorism training, education and information sharing so that they are alert to terrorist threats in the course of their work.

Known as Counter Terrorism Information Officer, (CTIO) training, this three-day workshop is designed to teach first responders such as police, ambulance and fire department personnel how to identify the early warning signs of terrorism. This unique training, which had never previously been offered in Canada, was initiated by the Community Outreach Program, a sub-unit of the RCMP's National Security Program.

The CTIO training began in 2007 in British Columbia. The B.C. initiative now has approximately 170 first responders trained in terrorism alertness. The training has expanded to Ontario and will be offered in Quebec later this year.

The training includes such elements as recognizing pre-incident indicators, and understanding terrorist fundraising and terrorism group characteristics. This knowledge and awareness triggers those who have been trained to contact the RCMP's National Security Program if they notice obvious or not-so-obvious signs of terrorism. Early detection allows the RCMP's specially trained national security officers to investigate at the scene before evidence is moved, placing them in a better position to mitigate a terrorist threat.

As an example, a CTIO firefighter who attended the scene of an accident advised the B.C. Integrated National Security Enforcement Team that one of the implicated vehicles was carrying radioactive material.

"Even a small indicator that may normally seem miniscule and go unnoticed or unreported may play a major role in an investigation carried out by national security officers," explains RCMP Sgt Steve Corcoran, from B.C.'s National Security Program, who started the CTIO training.

"Some signs to look for include precursors to make explosives or mass amounts of weapons. These may not necessarily mean there is a nexus to terrorism but, as national security specialists, we do not want to leave anything to chance. Calling out national security experts to a scene with these types of signs is imperative to rule out a possibility of terrorism," says Corcoran.

CTIOs also play a vital role in raising awareness of the RCMP's National Security Program. Once trained, their duties include being a point of contact for the RCMP national security liaison, relaying information about suspicious activity to the liaison, and receiving and sharing terrorism-related information within their workplace.

This type of training helps expand the knowledge of first responders and enhance public safety through a more integrated law enforcement approach. The more people there are aware of what to look for, the higher the chances of acting on potential risks before it is too late. Information sharing between the CTIOs and the CTIO coordinators in the form of monthly reports, watch briefings and annual conferences provides continuous learning for CTIOs. Information sharing also promotes the spread of knowledge amongst the entire first responder community.

"The CTIO program strengthens intelligence-led policing by involving all interested communities and training selected individuals to assist us with sharing terrorism-related information among first responders. The more people trained, the more alert we are as an emergency response community," says Corcoran.

The RCMP's National Security Program trains not only ambulance and fire department employees but also correctional service employees, conservation and wildlife officers, other municipal police forces and its own front-line RCMP officers who do not specialize in national security issues. A future goal is to have a CTIO in every detachment, district or division of each municipal and provincial police and corrections service.

CTIO training for emergency response personnel, such as paramedics and firefighters, has led to critical information being shared with the RCMP's national security officers in the prevention of terrorism.